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A TWO-GUN GAMBLER—A BOOM-TOWN BEAUTY—A GUN-BLAZING SHOWDOWN

25¢

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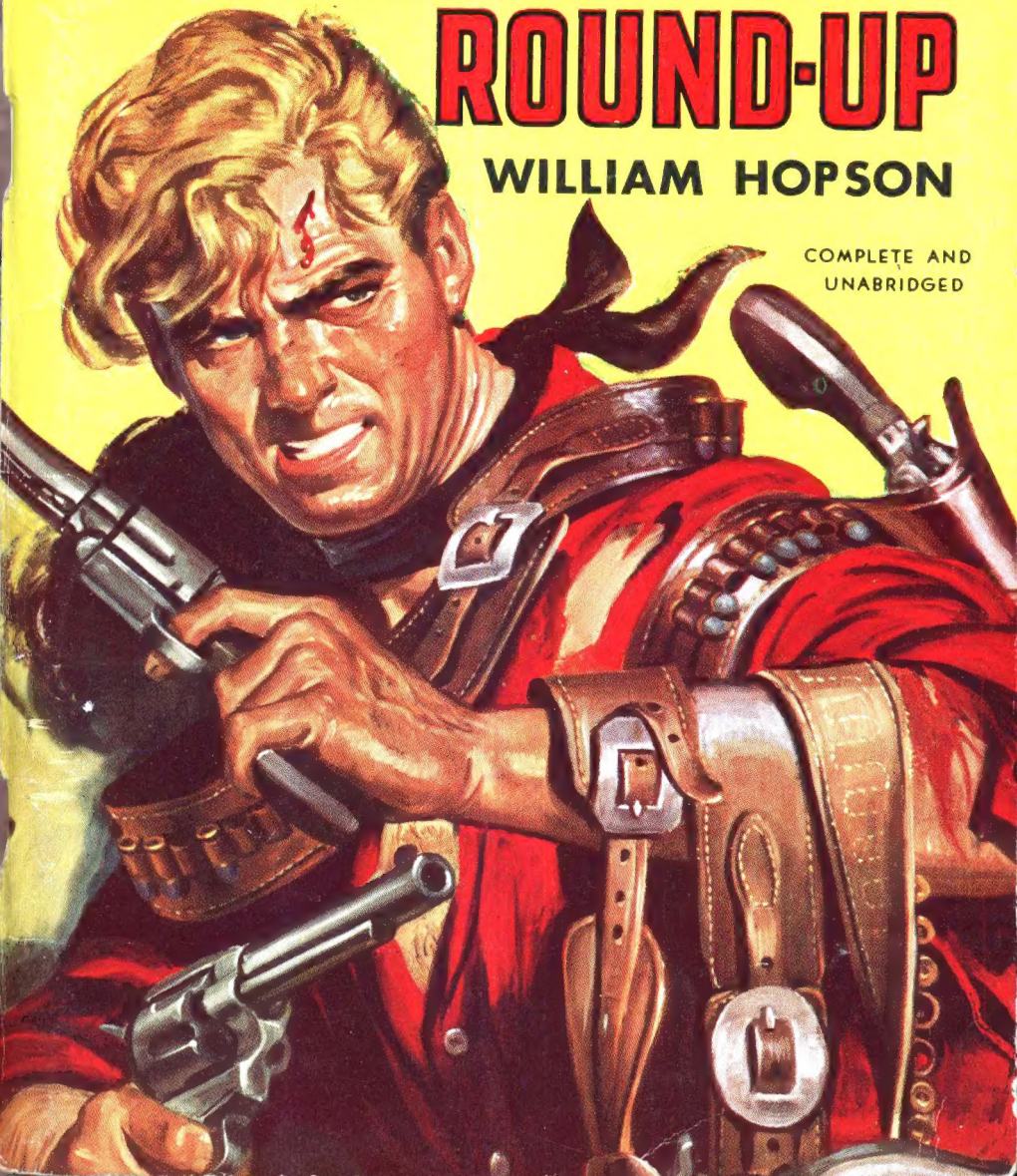
ARIZONA ROUND-UP

WILLIAM HOPSON

COMPLETE AND UNABRIDGED



TINHORNS, TWO GUN-HOMBRES AND A GAMBLING HALL BEAUTY LOCK HORNS IN A BOOM TOWN

When the fastest-shooting "square" gambler in the West bucked the most vicious pack of tinhorns that ever fleeced an honest man, the stage was set for the gun-blazin'est showdown that ever shook a boomtown. In this action-packed roundup of two-gun hombres, lynchings and dastardly frame-ups, romance puts her branding-iron on these men and women:

TEX BURNETT, a silver-haired wizard of the pasteboards, who always dealt from the top of the deck . . . unless he had to reach for the aces in his holster.

LILY OWENS, the gaming-hall girl who bossed tinhorns and killers but lost the battle of her heart to Tex . . .

PEARSON, a big-time swindler who wanted Lily's hand in marriage . . . or his own hand in Lily's gambling loot.

EVERGREEN, a dangerous "Two-gun Kid" whose quick draw got him into the biggest jam of his life . . .

BUD BAILEY, Lily Owens' hired trouble-shooter, who branched out on his own and learned how it feels to hang from a limb.

When Tex Burnett's bold campaign against the tinhorns roared to a grim finish in bloody Mule Gulch, an ARIZONA ROUNDUP was ended!

ARIZONA ROUNDUP

by

WILLIAM HOPSON

No. 3

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ARIZONA ROUNDUP

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Chapter One

THE TRIP northward from his bailiwick in Texas to the ranges of Montana had been a long one. And Tex Burnett was in no particular hurry to get home. It was summer down there in Texas and that meant stifling heat. Here in Arizona it was cool. There was supposed to be a new silver boom mining camp up ahead, and Burnett smiled at the thought of trying his hand in a good poker game with some of the tinhorns who always flocked to new boom camps to batten up miners whose work-hardened hands were clumsy with a deck of cards and whose eyes were seldom sharp enough to catch a marked card.

That brought a smile to his young-old face with its cobalt blue eyes and the shock of platinum white hair he'd had since he was nineteen; once the trademark of one of the "square" gamblers and gun masters in the Southwest.

Trimming tinhorns had been his specialty. But that had been a long time ago when he worked on the outside fringes of the law—years before he had pinned on a badge and become enemy of the men he once had called blood brothers of the profession.

He came to the gulch at last, and dropped the black gelding down a sharp declivity among the evergreens and out into the ruts of a freight wagon road. The road wound southward along the floor of the gulch, the shape of a sidewinder's track in the sand, and something about the cluster of tents and buildings down there ahead gave him the fleeting impression that perhaps there might be a bit of rattler in the place too.

"Mule Gulch," Burnett said. "Well, it is a gulch and I do see a forlorn-looking mule tied to a tree over there. Very aptly named, I'd say."

A heavily laden freight wagon, pulled by four big plodding horses, loomed up ahead, and the ex-gambler swung aside, com-

ing up alongside the left front wheel. He nodded to the heavily bearded driver. The beard was a little gray, six inches of dry mat, cut spade style across the bottom. The wagon was loaded with long planks of freshly sawed lumber.

"Howdy," Burnett said to the driver. "Quite a load you've got."

The driver shifted the whip long enough to let fly past the doubletrees with a stream of tobacco juice and wipe his mouth with a sleeve. He shifted the whip again.

"Yep," he said. "A mite. From the new lumber mill up the gulch a few miles. Just gettin' in, eh?"

"I reckon."

"Nice-lookin' hoss."

"I've got a bill of sale for him too." Burnett grinned.

The driver's rather sharp eyes were playing over the figure of the rider without appearing to do so. There was nothing furtive in the speculative gaze; it was shrewd, and Tex Burnett did not miss the look. What the driver saw was a man who might have been thirty-five or even forty-five, still solid and wiry of build, and wearing one gun at a right thigh encased in black leather chaps. There wasn't anything unusual about this except that the weapon's worn butt gave evidence that it and the rider were old friends. He saw a clean shaven face that had education and even culture written in every contour, and the hands weren't those of an ordinary puncher either. They were too slender and well kept.

The fingers could have been those of a honky-tonk pianist or . . . a gambler. The clothes were clean and well kept, the boots giving evidence of regular shines even on the trail.

The driver grinned back. "Some of the fellers comin' in here don't have bills of sale," he said. "Not that it makes much difference in the Gulch."

"Not much law?"

The driver spat again. "Not much. One town marshal durin' the day. Two at night when the muckers come out of their holes and into town."

"What about a sheriff?"

"Says which? Sheriff? Never heard that name before. That wouldn't be one of them new-fangled names for a land and mine speculator, would it?"

Burnett laughed and the driver laughed too. He was hardly an upright-looking type of citizen, but Tex was a pretty good judge of character, and he liked the man.

He said, "Well, I reckon I'll go on in. See you later maybe."

"Figgerin' on staying' around?"

"No telling."

"Mind if I ask your name? Mine's Jed Haraway. I could say I'd been about everything from a stage coach driver to a tinhorn gambler."

"Have you?" grinned the sheriff from Texas.

"Freighter is good enough," was the reply. "Jed Haraway, freighter."

"I'm Tex Burnett," Tex said. "Long way from home."

"Texas, eh? Never been there. Too hot in the summer and too cold in the winter, what I hear. Staying with us for a while?"

"All depends," Tex replied, lifting the reins. "I'm a creature of impulse . . . sometimes."

The bearded man in the seat of the huge wagon let that one sink in for a moment as the team plodded on. He looked ahead, his thoughtful gaze going out over the rumps of the big four. His eyes had a peculiar look in them, and Tex found the look vaguely disturbing. For the life of him he couldn't understand why. He wondered what Jed Haraway, freighter, would look like without that beard.

"Well," Haraway finally offered, "maybe you'll like it and maybe not, Tex. Maybe you'll stay, maybe not. Maybe you'll ride out; maybe they'll pack you out. It's that kind of a town. She's rugged, that I can tell you. Now, advice is free and any fool can offer it. If it cost a dollar a throw there wouldn't be so much of it thrown around. But because I ain't chargin' you I'm goin' to pass some along. Best hotel in town—if you can call it a hotel—is the Silver Pound, owned by the man who stables my team in back of it. That is, it's the best if you can get a room. You can't. If you don't find a place to bunk, go in back of the Pound's stable and look for that big cabin about two hundred yards away. It's mine and I can find room for you. Keep away from the Golden Pheasant. It's run by a woman. Some says as how she's good and a lot of others say as how's she's an angel with black wings. Anyway, it's sharp from the word go, with a bunch of tinhorns hanging around there

fleecing every pilgrim and miner who's fool enough to set in on the games. Watch out for a kid named Evergreen. Just Evergreen. He's a holy terror and he knows it. He hangs out there. Anything else you want to know, just look me up evenin's between trips."

"Thanks," Tex replied. "Might see you tonight over in the cabin or around town. So long."

"So long."

Tex rode through the open wagon yard gate, swung down, and began to remove his chaps. He shifted the gun sheath up high enough on his hip to slide them down and then kicked them off, a leg at a time. A lanky youth came up.

"You the hostler?" Tex asked.

"Yep. Call me Curley, everybody else does."

"Any chance to put up the black for a few days?"

"Sure," Curley grinned. "If the boss could see that hoss he'd force you to stay here, I reckon. He's that crazy about good hosses. His name's Pearson. He owns the Silver Pound too. I'll take care of him. Two dollars a night, which is plenty cheap, considerin' the way freight rates are. Nice lookin' black. How old?"

He was taking the reins while Tex slung his chaps across the saddle and then untied a large carpet bag and two saddle bags. He removed his rifle from the boot. It was a heavy gun, a single shot 45-90. Most men preferred a repeater because it was lighter and didn't need reloading in case of emergency. But Tex Burnett belonged to that school of thought which believed that the first shot was the most important one; and the big 45-90 with its 350-grain bullet could reach out quite a way for that all-important first shot.

"Six," Burnett said, in reply to the hostler's question.

"Want to sell him? The boss'll probably be interested."

"I'm not. Give him a good rub-down, too."

"Sure," said the hostler, and caught the flipped silver dollar. "And maybe you'll change your mind after bucking the games in the Pheasant and the gambling room of the Pound fer a few nights."

Curley pointed out Jed Haraway's cabin and Tex made his way over, carrying his possessions. It was a big structure of two

rooms, made from the same raw lumber the freighter hauled daily from the mill, with a hard-packed dirt floor. Burnett put gun and saddle bags into the extra bunk, found a water pail and basin, and removed his shirt. He cleaned up, decided against a shave until morning, put on a clean shirt from the bag, and shined his boots. Footsteps sounded from without and Tex guessed that Haraway finally had gotten in. He turned. It wasn't Haraway. It was a man of about twenty-three, a wiry-looking youth who wore a gun at his right hip and another in his belt.

"Who are you?" he demanded.

"Tex Burnett," was the cool reply.

"What are you doing in this cabin?" the other demanded again, harshly.

"I've already done it, son. Washed, combed my hair, put on a clean shirt with only *me* as the occupant instead of several intruders, and slicked my boots."

The youth had taken a half-step away. His eyes were brittle, challenging, and flecking with a rising tide that Tex recognized all too well.

"I asked you a question," he snarled. "You answer it or I'll blow you apart."

Tex looked him over. He had seen such before: wild, tough and vain, eager for trouble, eager to show their prowess, their mastery over men.

"Son," the older man said gently, "don't try to pull that gun on me."

"Why not?" sneered the youth. "We hang claim jumpers here in the Gulch. Only I'll save you the trouble. Why not?"

Jed Haraway's voice came from behind. "Because, Lance, he'll shoot your heart out through your shoulder blades before you can get that gun of yourn free of the sheath."

He came into the room, carrying canteen, a miner's dinner pail, and a coiled blacksnake whip. He tossed them on his bunk and turned.

"Lance," he said, "this is Tex Burnett. Tex, my son Lance. Around town's he's known as Evergreen."

They didn't shake. They looked at each other. Then Tex said softly to Jed, "I reckon I'll stroll over town. Thanks for the invite. If it's still good I'll be back tonight."

He went out and the freighter looked at his son. "You rattle-brained fool," he said with biting contempt. "You swell-headed, two-bit badman fool. There goes one of the greatest gun masters Texas ever produced. It's lucky I came in that door—or maybe it wasn't so lucky after all. You'd be better off buried."

Chapter Two

"SIT DOWN, son," the freighter said, and moved over to the wall.

He stripped off his heavy wool shirt and hung it on a nail, revealing chest hair almost as matted as that of his face. Lance Haraway sat down on the bunk where Tex had placed his belongings. His hands opened the carpet bag, and Jed, bending over the wash basin to pour water, did not notice.

"So this Burnett is a friend of yourn, hey?" grunted the youth.

"The word friend covers a lot of territory, son. I'd just say that I knew of him."

"Tough gent, eh?"

Evergreen had brought out a cartridge belt and sheath, the sheath a left-hand one. He drew forth a well worn Colt. The front sight had been filed off many years before and the weapon was shiny from the long use and much care. The youth tested the hammer action of the unloaded gun, and a slight sneer crossed his handsome face.

"No," Jed said over his shoulder, soaping his hands. "Few dangerous men are ever what you'd call 'tough' gents. They're quiet men who attend to their own business and avoid trouble. That's the way Burnett has always been."

"Where'd you meet him?"

"Down in Texas. Or maybe I'm not saying I ever met him—just seen him. But one thing I want you to know, son. Don't ever

try to throw a gun on Tex Burnett. He could let you clear the sheath and then blow you apart."

He was soaping his face now; the tobacco-stained beard was a mass of white foam. He rinsed, poured more water, rinsed again, and turned with a towel in his hands. Evergreen sat on the edge of the bunk. The gun was gone, the carpet bag closed.

The youth looked at his father. "I don't understand you," he grunted sourly. "You never talk about the past—"

"And that's not all. I'm not going to talk about it. I—"

Another shadow darkened the doorway of the cabin. The woman who came in was possibly thirty years of age. She had brown hair and eyes, a well shaped nose, and a mouth that could be tender and yet could thin in swift anger.

"Hello, Pap," she said to the freighter. "How's it going?"

"It's not," Evergreen cut in. "The old man's a family gent now, Lil. He's picked up a homeless orphan—a real two gun, rip-snortin' badman who's a timber wolf with cactus bristles for hair."

The woman's eyes looked a question. Jed's hairy face came out from back of the towel. He looked at his daughter. "Don't pay any attention to Lance, Hon," he said. "He's a man I knew by reputation in Texas, and I happened to recognize him when he rode by today. Name's Tex Burnett."

She seated herself on the bunk beside the youth. "What kind of a man?" she inquired.

Jed rubbed the towel over his hairy chest to remove the water that had dripped down and smiled at her. "One of the greatest gamblers that the Southwest ever produced, Lil. A square gambler. He used to pose as a tinhorn and he cleaned them by crooked methods when they played crooked, but I never heard of him cleaning an honest man on a crooked deal. He didn't have to."

She pursed her lips and looked thoughtful. "That wouldn't be a man of about thirty-five or forty with snow white hair I passed on the way down here? Black hat, shirt, and pants? Shiny boots? One gun at his hip?"

"That's him. Burnett."

"I see," she replied thoughtfully. "What's he doing here?"

"In town? Just drifting through, I guess. Rode up alongside

the wagon while I was coming down from the mill. I recognized him right off. Nobody would ever forget that white platinum hair of hisn. It used to be a sort of trademark. Then he dropped out of sight over a period of years and nobody ever knew what became of him."

"A gambler, you say, Pap?"

At his nod she went on. "I don't think he just dropped in. I think Deacon Sellers sent for him. I'll be glad to meet this Mister Tex Burnett over at the Pheasant."

Jed was pulling a shirt from a pile of clean laundry on a shelf above his bunk. He unbuttoned it and slid in an arm. "I wouldn't be too sure, Hon," he said. "I somehow can't figure Tex sittin' in on the kind of crooked deal you've got cooked up with the Deacon and the others."

Swift anger flared in her pretty eyes. The lips turned a trifle cold. "It's not crooked," she snapped out. "These miners get drunk and throw away their money. Part of it's at gambling. Half of them are so drunk and befuddled that they lose it anyhow, regardless of who or what they're playing."

"So you just take it with a bunch of crooked tinhorns to save time?" her father commented dryly. He unbuckled his belt, slid the shirt tail inside his pants, and worked the heavy brass buckle tight again. "I don't understand you, Lil—or maybe I do after all," he said. "You're my first child. Then your mother left me and took you with her. Later, when she died and I married a widow with a son—Lance here—I got you back again. You and your stepbrother. But she left me too. You were sixteen then. A good kid; none of these highfalutin ideas about being 'somebody' in the world. I once had ideas like that myself. It's why I'm a freighter today, happier than I've ever been in my life. When I heard along the trails that woman named Lily Owens was running the Golden Pheasant I didn't lose any time getting here. I knew you'd take your mother's name and were on your own. I came in a few weeks ago, hopin' that the three of us could sort of take up our scattered lives and make a family once more. What I found was my daughter running the biggest gambling place in town, and my stepson a two-gun badman supported by you and hanging around trying to show how tough he could be."

"I've taken care of Lance when you weren't with us," his daughter reminded him sharply.

"I know, Hon," he acknowledged. "And if he's turned out bad, heading straight for Boothill, twenty-three years old and already three men to his credit, it wasn't your fault. You did the best you could. So I'm not worried about Lance. He doesn't care for anybody but himself. He'll make his own way and one day meet a man who's faster with a gun than he is. It might have happened a few minutes ago if I hadn't come in. But it's you I'm worried about. This strange determination to make a fortune and then become what you call 'a lady.' Nothing wrong with that. But you don't have to have money to become a lady. It's—"

"It helps," Lily Owens cut in.

"Maybe," he nodded. "I don't mind your gettin' money by running a gambling hall and saloon. It's a respectable business when it's done on the square. But I am worried that you're in with a bunch of crooked tinhorns and that by the time you get the money you want so bad you'll have a hard-case shell over you that all the fine clothes and hosses and buggies and servants won't ever soften up. If you get a wagon stuck in the mud you can't get it out without gettin' some of the mud on your hands and clothes. If you deal a hard game you take on some of the hardness. So, for the last time, Hon, let's you and Lance and me pull up stakes and get out of here. Let's go to some quiet town out further west or south and settle down—"

Her laugh cut the words short. "Just when I'm getting started, Pap? No, thank you. The money is just beginning to roll in. Let it roll for two more years and then we'll talk it over again."

Something like a sigh went out of the freighter's hairy chest. He nodded his bearded face. "I knew it was no use. You'll stay here and get harder and colder, and maybe marry Pearson."

He looked at her speculatively. The look demanded an answer.

She said calmly, "I might, in time. He wants to combine the two places. He's pretty well educated, a handsome and intelligent man, and there's no ill feelings between us because we're competitors."

Lance Haraway laughed loudly. "I'd say not, Pa. Not with him moonin' around her like he does all the time. Folks up and down the Gulch are sayin' as how he spends more of his time

in the Pheasant than he does in the Silver Pound. Nope, I'd say his feelings ain't hard. They're plumb mushy where Lil is concerned." He laughed again.

She rose to go and went over to hug the grizzled freighter. "When you shave off that beard I'll kiss you and not before," she said banteringly, pushing back to look at him.

"The beard stays," he said doggedly.

Her face grew serious. "I don't understand you any more than you claim not to understand me, Pap. Ever after I bought you that freight outfit I kept on begging you to give up hard work, shave off that beard, and come down to the Pheasant as a bartender or lookout. I can't understand a man who'll work out here in the rain and mud when he can be inside all the time. So I've about come to the conclusion that you're hiding something. Whether from Lance and me or from the law I don't know nor do I care. You're still my father. But," she went on stubbornly, "I'm going to have two more years of it before we talk about going away together."

She went toward the door, and he said, "You shouldn't come here in daylight like this any more, Hon. Somebody'll see you and start asking questions. We'll just let things ride. Few know you're my daughter and Lance is my stepson, or that you two are stepbrother and sister. So be careful."

"Coming down tonight?" she asked the bearded freighter.

"I suppose. Burnett will probably be there."

"How do you know?" she demanded.

He laughed at his daughter. "Because," Jed Haraway said, "I warned him to keep away from there."

Chapter Three

BURNETT HAD strolled on over into the main street. He dropped into the Silver Pound's bar and gambling room and

leaned with a foot on the rail, drinking slowly while he surveyed the crowd. There were a number of games going and Tex instinctively sought faces, studying each closely. They were mostly miners, with two well dressed, quiet-looking men proclaiming what they were themselves: professional gamblers.

"Next one's on the house, stranger," the bartender said, as Tex toyed over his drink.

"Thanks," was the reply. "Seldom more than one before dinner."

Dinner, thought the bartender. Here was a well dressed stranger wearing a gun at one hip—a well worn gun and sheath—who called supper *dinner.* He dressed like a well heeled cowpuncher or rancher—or perhaps a lawman—but he had the hands of a gambler, a face of granite rock, and the manners of a gentleman.

Dinner! Huh!

The bartender was puzzled. Pearson was a pretty fair man, and level-headed except where Lily Owens was concerned. It was his right to find out as much as possible about such strangers as this one, so the bartender probed further. He asked the usual question, asked a million times before on a thousand ranges:

"Stranger hereabouts?" he queried, sliding out the bottle anyhow.

That man over there at the third table, Tex thought. *It shouldn't be, but I'd know that left hand anywhere. Three-Finger Charley!*

"Never was there myself," he said in answer to the bartender's question.

"Huh? Where?"

"That state. *Ad Valorem.* Or maybe it's *Sic Transit.* I've forgotten," he apologized.

"No reason to, stranger," the barkeep said, completely confused. "It's all right. Nobody around here apologizes fer anything. Come far?"

"Repellitur a sacramento infamis."

The barkeep cleared his throat. He scratched his head and toyed with the bottle. "Why, shore," he finally agreed. "I reckon. But I don't speak Spanish."

"Hindu," Tex corrected him holding down his laughter. "An infamous person should not be allowed to take an oath."

"Allus figgered it the same way," agreed the now bewildered dispenser of liquids. "Just get in?"

That small, wiry man, Tex Burnett thought. *That would be Pearson. Business-like, authoritative, probably a square-shooter, though you never could tell. That would be Pearson, letting the tinhorns work his customers.*

Tex wondered why. Was the man getting a cut? A small, pudgy man had risen from another table and hurriedly cashed in his chips, and Tex knew that he had been recognized. Tommy Ace-in-the-Hole, another of the old-time tinhorns Burnett had known, was leaving by the back door.

"Just this minute," Tex said to the puzzled man with the bottle. "You saw me come in."

"I mean in town."

"'I mean in town.' Does that mean you're a mean man in town? You don't look like a Sioux Indian, but you sure talk like one."

The bartender gave it up as a bad job. He corked the bottle and said weakly, "That's Pearson coming over. Nice feller. Best boss a man ever worked for."

Pearson came up to where Tex stood, the second drink untouched in his hand. The owner of the Silver Pound was thirty or so; dark-haired, wiry, and obviously pretty intelligent.

"Good afternoon," he greeted Tex pleasantly.

"Howdy," Tex smiled.

"The name is Harlan Pearson. I own the Pound. Let me welcome you."

"I've been welcomed by the barkeep. And do you reckon you own the Pound enough to find a room for me?"

Pearson gave a pleasant laugh that was soft and easy. "Not even for my own brother at the present time, Mr.—"

"Burnett. Tex Burnett." Tex extended a hand and they shook.

"I haven't heard the name before."

"You probably will," Tex grinned back at him. "Very shortly, I imagine. Just as soon as Tommy Ace-in-the-Hole gets back from wherever he went."

The barkeep had come back. Pearson looked at the glass in

Tex's hand and said, "Ed, throw that stuff out of Mr. Burnett's glass and get him something decent. Have one with me, Burnett. What would you like?"

"Brandy."

"Ah! Here's a man after my own heart. Ed, get my brandy bottle. And from now on when Mr. Burnett buys in here sell it out of my *private* stock. I don't drink much, Tex. They say a man can't sell this stuff and drink it too. I subscribe to that belief. Also, it holds good on the gambling. I never buck my or any other place's games."

Tex smiled and picked up the small brandy glass. He lifted it in a salute. "That's using plenty of sense, Pearson. Many a man has died a pauper because he couldn't keep away from the whiskey back of his own bar. Likewise cards."

They drank and Pearson said, "So you know Tommy Ace-in-the-Hole?"

"I saw him years ago. Likewise Three-Finger Charley, who hasn't noticed me yet. The man with one finger and a thumb gone."

Pearson turned for a look at Charley. The gambler was raking in a pot from a miner who was pretty drunk. He lifted his eyes, and Tex saw him stiffen. Then Charley cashed in his chips, rose and, like the other tinhorn, hurriedly left by the back door. Pearson had turned back and was looking at Tex queerly.

"So you knew him?" he asked softly.

"I shot that thumb and index finger off," Tex Burnett answered slowly. "Fifteen or sixteen years ago."

"Poker?"

"Stud," Tex nodded. "He's probably learned to use his left thumb to mark 'em with a nail or by ruffling the edge of a card. Likewise switch his sleeve gun."

"I had you pegged, all right!" Harlan Pearson replied, and rubbed at the side of his nose reflectively. "Thought at first you might be a lawman in here looking for somebody on the dodge. Somebody like Bud Bailey and his men."

"Bailey?"

The Pound's owner shrugged and then laughed again. "That could be a lawman fishing for information, that *one word.* If it is, you probably already know that Bud and his four men are

suspected of some muggings and night robberies, along with the first holdup of the stage we've had since the strike started this boom. You'll see him around town if you stay with us for a while. I won't ask if you are or *what* you are. That's your business and none of mine. But if I've pegged you wrong as a lawman looking for somebody, then I pegged you right as a man who knows his way around a gambling room. It means a job here any time you want it. I need good men."

"Doing what?"

"If you can cut the buck, choose your own. House dealer, bouncer, lookout man for the faro layout, floor walker. That's *if* I pegged you right. But what I need most is a gambler. I want a man who can play them crooked or straight, who can trim them as they come according to *how* they play. You see, Burnett, we've got a very peculiar set-up here in Mule Gulch. Ever hear of Lily Owens?"

Tex nodded and then shook his head at the offer of another drink from the brandy bottle. Pearson didn't take another either.

"Met a freighter who corrals in your lot out back," Tex said briefly. "Jed Haraway. He mentioned her and the Pheasant, along with a warning not to go there. Don't know why."

"I do. He didn't want to see you get cleaned, I guess. Lily's one of the finest women in the world, but she's determined to get to the top by nearly any means possible. She wants money and more money. Part of the system of getting it is having a bunch of crooked tinhorn gamblers to fleece these miners and give her a cut for letting them use the Pheasant as a field of operations. Men like Ace and Three-Finger."

Tex looked at him steadily, his cobalt eyes unwatering. "I notice," he said evenly, "that they're using your place for the same purpose."

Pearson nodded, shifting a booted foot on the brass rail. From the other end of the long gambling room came the click of chips, the low murmur of men intent on their games, punctuated by sudden bursts of laughter and now and then an oath. Tex reached for tobacco and rolled a cigarette.

Pearson said, "I know. That's why I've been talking with you. You might be able to help me do something about it. So far I can't. Deacon Sellers is running the show up at the Pheasant,

and some say he's got Bud Bailey and his toughs backing him. I do know that Bud came in here, backed by two of his gun packers, and flatly warned me that the tinhorns in with the Deacon and Lily Owens would play here and any other place in town or the owners, including me, might get a sudden attack of lead poisoning. Frankly, Tex, I'm pretty fond of Lily. I keep trying to tell myself differently, but it looks to me as though she's got the Deacon and Deacon has Bailey to back him up while they suck the miners dry of every dollar of silver brought in."

"Including stage robberies."

"It looks that way. So the boys play in here. And I'd give a thousand in gold tonight to find a house man who could sit in on every one of their games, crooked or straight, and clean them until they wouldn't dare break out a new deck at one of my tables."

Tex lit the cigarette and straightened from the bar. "Maybe," he said softly, "you just might find that man tonight, Pearson."

He strode out the door and headed for the Golden Pheasant, moving northward along the new, crudely constructed boardwalk rising four inches above the damp earth.

Chapter Four

HE WAS hungry, a bit tired of the grub in his slicker roll, and he'd overheard somebody say down at the wagon yard that Lily Owens of the Golden Pheasant served food. It looked, he thought, as though Lily wasn't overlooking any opportunities when it came to making money. First, heading a bunch of fleecing tinhorns and taking a cut . . . with a possible sideline of directing stage holdups.

Tex entered a room some eighty feet square, with a long, dark

bar of mahogany wood running the entire length of the north wall. Back of it were three bartenders in clean white jackets and aprons, men with neatly plastered hair parted in the middle and barber-trimmed mustaches. The east wall held a line of green-topped poker tables behind which were two raised platforms, each with a single padded chair. Only one man was on duty there at this time of the day, and he was half asleep, the short-barrelled shotgun cradled across his lap. The center of the huge room contained the faro and roulette and dice game layouts, while the south wall carried another bar, this one lower and fitted with stools. Through a hole in the wall he saw kitchen help scurrying around, getting ready for the evening rush.

Tex went over and found himself a seat on the west end of the food counter. Several men were eating farther down but paid him no heed. He twisted around to face the room and let his eyes play over the scene and the upstairs banister above. This proclaimed rooms; perhaps for big games, for guests, for private entertainment. He didn't know, nor was he interested. One of the rooms over the northeast corner had heavy drapes of some red cloth, and his conjecture proved to be correct when they parted and Lily Owens came out, followed by the gaunt form of Deacon Sellers.

"The old devil hasn't changed a bit in looks since the old days," Burnett grinned to himself.

He turned his back again, knowing they had seen him. He knew now where Three-Finger Charley had gone when he'd cashed in his chips at the Pound and hurriedly slid out the back door. He and Tommy Ace-in-the-Hole too.

A waiter dipped a tin cup into a large keg of water and brought it over and placed it on the counter. He looked a question, and Deacon Sellers slid his cadaverous form with its bony face above a long black coat onto the stool next to Burnett's.

"Hello, Tex," he said.

Tex looked at the waiter. "What have you got for a hungry man?" he asked, ignoring the Deacon.

"Boiled beef or fried, same in deer, and I think we even got some b'ar meat one of the night cooks shot t'other day."

"If he shot it the *other day,* I'll take the beef," Tex grinned.

"A steak with all the trimmings and the hottest pepper sauce you've got."

He turned and looked into the Deacon's almost meatless features. The face seemed to be all lumps of bone covered by thin skin; cheek bones, eyebrows, nose, chin, and a monster Adam's apple bulging the front of the stringy neck. The Deacon's coat and white shirt were new and clean and the diamonds in his stickpin and the ring on a little finger of his left hand were large. The Deacon also wore another ring on a finger of that left hand. But it was a solid gold band. Tex took the hand before its surprised owner could protest and spread it, palm up. The gold band contained a flat surface polished to mirror brightness.

When the Deacon held a cupped match over the table to light a miner's cigarette he could see the cards in his hand.

Tex Burnett laughed softly and drank from the tin cup of water.

"Still the same old Deacon, eh?" he said. "Haven't learned a new one in fifteen years. Same old game, eh?"

He didn't bother to shake and the Deacon's return grin was a bit wry and sour.

"So you got the word and came in?" Deacon Sellers asked softly. "All the other boys of the old days are here, except two or three who'll never get here. They came on the run when I sent out word, most of them. I'd about given up hope you'd show when Ace and Charley just came in and broke the news. You haven't changed much with the passing of the years, Tex. Same platinum white hair. Don't look a day older than the last time we sat in that big game in El Paso."

"Charley's hand seems to have healed all right. I was watching him deal with the other up at Pearson's a few minutes ago. He's switched. Probably the gun too."

The Deacon smiled at that and unconsciously looked down at Tex's right hip and the black walnut handle of the worn Colt. "Same gun, eh? Where's the other one?"

"Same old gun," Tex replied. "You can tell Three-Finger it's as good as it was that night in El Paso . . . in case he's got some more fingers to spare. But I won't shoot fingers this time, Deacon," he warned coldly.

"That's all been taken care of," Deacon Sellers said sharply.

"Three-Finger was a bit upset when I told him you'd most likely be along. Said he had an old score—two of them, in fact . . . one thumb and one index finger—to settle with you. I warned him bluntly that I'm running this set-up here and we're not going to endanger it because of any old grudges among the brotherhood. So you've no need to worry about that, Tex."

"I'm not worrying about it at all," Tex said. "He tried a crooked play, which you saw because you dropped out of the pot with three aces in sight, and he got part of a hand shot off. As far as I'm concerned the matter is finished. I'm not a man to hold grudges."

The Deacon changed the subject. "Almost like old times, Tex. And it'll be about the last, I guess. This is a final chance for a cleanup by the old tinhorns. That's why I sent out word to all of you—Black Jack Smith, Big Thumb Barton, Wild Cat Cresty, and Frenchy LeBleau. You remember Frenchy. He's not been doing so well. Slipped up on a deal somewhere down south and a cowpuncher with sharp eyes and a sharper draw punctured him twice, couple of years ago. He's up and around again. Not as good as he once was, but plenty good enough for these miners and the others who sit in on the games around town. Johnny Sansone won't be here. Some ranchers down in Arizona Territory caught a bunch of horse thieves where they'd camped one evenin' and poor San happened to have dropped by to have supper and maybe pick up a few honest dollars. I hear he was game just before they quirted the horse out from under him."

"Too bad," commented Tex, remembering all the men Sansone had fleeced with a pack of the pasteboards, and thinking that it wasn't too bad at all. It was very good. "Did Hole-Card Pete get in?"

"I don't think he'll be here either, Tex. Seems like one of the boys heard as how somebody got it from another tinhorn down around Laredo several years ago. At least they heard it was Hole-Card. By the way, how'd you get my message?"

"Message?" Burnett asked. "I dropped in on my way South, that's all. Been prowling around up in Montana. I just happened to ride in."

That brought a chuckle from deep within Deacon Sellers' bony chest. "One thing I always had to say for you, Tex: you were

smoother than the rest of us. You were more than just an ordinary tinhorn. You had the makings of a really great gambler if you'd not been fool enough to play 'em square all the time."

"Except when you and the others tried playing them the other way."

The Deacon chuckled again. "Not after you clipped Charley's wing. But I knew you'd want in on this deal, so I passed the word along. I had something special in mind for you. And now you sit here and tell me you just *dropped* in, eh?" He grinned.

"Just dropped in," Burnett repeated.

"All right," Sellers shrugged. "Have it your way. I notice you haven't as yet asked what the deal is. I haven't told you because somebody else will."

"Who?"

"Lily Owens, who owns this place. She's waiting for you in her rooms upstairs. We'd better get on. She don't like to be kept waiting."

The waiter came through swinging doors. He bore a flat slab of pine board on which lay a huge steak, sizzling. The plates he carried were filled with beans, potatoes, and canned corn.

"I'll think it over while I'm eating," Burnett said, reaching for the sauce bottle and dousing the steak generously.

Tex turned long enough to watch him sweep his long black coat tails among the tables on his way to the stairs at the long bar's east end. He saw Evergreen, or Lance Haraway, talking to several tough-looking men over by the bar. The younger man, too, watched the Deacon ascend the stairs to Lily Owens' room, and something like a grin flitted across his hard young features. He jerked his head toward a man who could be only Bud Bailey and came toward the counter. The other followed him. Tex resumed eating.

Evergreen sat down on the stool beside him and Bailey took the next seat. The suspected stage robber was possibly thirty or a little younger. He wore a hard-case derby hat and a suit of "store-bought" clothes, the pants legs of which were stuffed into the tops of his knee high boots. Bailey apparently was in the big money all of a sudden, either from a lucky run at the gaming tables or from the proceeds of the hold-up.

"Mind if we set down?" Evergreen inquired, in an attempt to be friendly.

"Yes," Tex replied, spearing at a boiled potato. "But it's a public place. You've got as much right here as I have."

"Burnett here," Evergreen explained to Bud Bailey without bothering to introduce the two men, "was in Pap's cabin a little while ago when I come in. I thought he was a claim jumper and got a little riled until the old man came in and straightened it out."

Bailey grunted and ordered a cup of coffee. It was obvious that, for some strange reason, he didn't like the newcomer to Mule Gulch. Tex suspected that they had been talking about him over at the bar before coming to the counter. Evergreen turned back to Burnett, still busy with his supper.

"Shucks, it was all right, long as you're a friend of Pap's," he said. "Where'd you know him?"

"I didn't, son. Just met him and he invited me to share the cabin, seeing as how the hotel is all filled up."

"He said he'd seen you down south somewhere. Texas, I think."

Tex didn't answer. He was remembering that Jed Haraway had told him at the wagon as they moved along the road that he'd never been in Texas.

Evergreen went on, in a lower, confidential tone of voice. "It ain't known too much around the gulch here, Tex, but Lil is also his daughter by a first wife. I'm his stepson, which makes us stepsister and stepbrother. But few knows that and you ain't supposed to say anything about it."

Tex had finished. He shoved back his plates and the wooden platter and reached into a pocket.

"How much?" he asked the waiter.

"Dollar fifty."

"Here, here," protested Evergreen, grabbing for his own pocket. "I'm paying for his supper. He's my friend."

Then a left hand with a grip of iron closed on his wrist and he found himself looking into a pair of cobalt eyes that were not hostile but certainly were not friendly.

"Thanks, son, but nobody pays anything for me, and the word

friend is maybe a little different to yourn and my way of thinking. You're not my friend. I don't have many friends."

He slid two silver dollars across the counter, nodded for the waiter to keep the change, and released his grip on the surprised Evergreen's wrist. Bud Bailey had risen. The sneer that crossed his round face made it dark and ugly. He bared his teeth like an animal.

"Particular, huh? Well, the kid's my friend too, mister, and if he wants to pay fer your meal, he pays. Put the money back on the counter, waiter," he ordered. "I never went in much fer these fancy fellers who're so darned particular who they meet."

It was a gauntlet thrown down, and Evergreen bent forward as far as he could. That was the best he could do to keep out of the possible line of fire. Tex had cleared him by a step out and forward. Bailey hesitated, knew his own play had been called, made another. A hand flashed down beneath the coat, froze there as he found himself staring blankly down the barrel of a worn Colt.

"Don't try it, mister," came gently. "Not now or any other time. You two walk across the floor ahead of me until I get to the stairs. I'm kind of particular about who I turn my back on sometimes, too."

It was over so fast, done so quietly, that few of the gamblers had noticed. Only three people had witnessed it all. Up on the balcony Lily Owens stood beside the tall, cadaverous figure of Deacon Sellers, looking down. And standing inside the doorway through which he had just entered was Jed Haraway.

Chapter Five

LILY WAS pacing the floor of her room impatiently while the Deacon smoked calmly and drank a glass of fine wine

from a decanter on the table when a knock came; a knock as gentle as that of a timid child.

She went to the door and opened it. Tex stood there with his hat in one hand.

"Good evening," he greeted her gently. "I believe you're Miss Owens."

"I am," she smiled. "And you're Tex Burnett. I think that I passed you an hour or so ago while I was over—ah, out for a brief stroll. Won't you come in, Mr. Burnett?"

He came in and handed his hat to Bessie, Lily's maid. He nodded to the other man and said, "Deacon," in brief greeting. He took the indicated chair. She went to the table and poured him a small goblet of wine from the decanter.

"Thank you," he murmured.

She watched as he lifted the glass. The Deacon had been taking his in big swallows. Burnett shook the glass gently until the golden liquid inside sloshed up. He watched as it ran down again and then tasted it.

He looked at the glass again and then at her.

"Chablis. Not domestic at all. I'd say imported. South France."

"Well!" she exclaimed. "This is quite a surprise, Mr. Burnett. Or, if you don't mind, I'll call you Tex. I hardly expected a gambler of your—oh, I'm sorry. I meant I hardly expected to find a man in the Gulch who would know about such things. Yes, it was imported from France to New York and then found its way west. But tell me, how do you like Mule Gulch?"

"The Deacon," he smiled, "would probably say that a man of our calling has seen many such places in the West. It's just another boom town. A strike that may blow under in a few weeks or last for years."

"Are you staying long?"

"That's a difficult question, Miss Owens," he smiled, sipping again. "There's the possibility that certain people might not like my presence here. I'm referring to a certain Bud Bailey, I believe his name is, as well as your stepbrother. Yes," he added at her look of surprise, "he told me. I assure you that your secret is safe."

"Evergreen talks too much," cut in the Deacon with a grunt, and put down his empty glass.

"I suppose it's bound to come out sooner or later anyhow," she

admitted. "And I'm sure the secret will be safe with Mr.—with Tex."

"Let's cut out the jawing and get down to business," Deacon Sellers replied. "Tex pretty well knows what the setup is here. I've told him enough. I've told him how we're working and that he can come in. He's said as how he wanted to think it over. So count me out. It's up to you two."

He rose, took his hat from Bessie, and went out, closing the door behind him with just a slight slam.

"The Deacon," she murmured, "seems a little put out. As he told you, I put him in charge of the others, and responsibility has made him petulant." That was a word she had picked up from Pearson.

"The Deacon," he said, "had three men to his credit last account I heard of him. And that was a good many years ago. He's the right man if you can hold him down. But if he gets the bit in his teeth you might find yourself in the position of the bear hunter who got a grizzly by the tail and then found out he couldn't let go."

"Bud Bailey will obey my orders implicitly," she replied coolly. "That's why I hire him as one of the night shotgun lookouts—although after what I witnessed just a few minutes ago I'm inclined to think that perhaps I ought to offer *you* his job. But getting down to cases, will you come in with us, Tex?"

"Getting down to cases, no, Miss Owens, I won't," he answered.

"Why?"

"Because I quit the business many years ago."

"Then it's true—what the Deacon said that you told him? You actually did just happen to drop in here?"

He nodded and put down the empty glass, shaking his head as she looked toward the decanter. "Quite true. Nor would I have accepted had I still been following the games. I play them my own way and I play them alone."

"The rest of the boys are getting half of the town take and have the field to themselves, Tex. You don't have to be told that I'm an ambitious woman who wants the best out of life. I intend to get it over all obstacles. I need someone like you here to take care of men like the two professionals who were playing in Pear-

son's place this afternoon. Not half for you; two-thirds. Will you accept?"

"Pearson," he said, rising to his feet, "made a better offer than that. A thousand cash bonus to start with."

Her eyes flashed. He saw the danger glint in them. "It won't do you any good," she said, rising too. "There'll be no professionals in there because we're keeping them out. You'd starve in there in a week, once the miners got to know you."

He took his hat from Bessie. "Pearson wasn't talking about the big fellows, Miss Owens. He was referring to Charley and Ace and the others of your tinhorn crew. He doesn't want them in there fleecing his patrons. But Bud Bailey's guns, under your order, says that they stay. So from now on they can play at any time they wish—with me."

Her face, lovely even in anger, turned a shade pale. He saw the flash of her eyes, the faint toss of her almost russet hair.

"I see," she said in a low controlled voice. "I'm sorry you made the wrong decision, Mr. Burnett. I truly am. That will be all. Good evening."

It was dismissal and he left. Bessie closed the door behind him. They heard his booted feet sounding toward the head of the stairs. Bessie looked at her mistress.

"Miss Lily," the Negro maid said, "I think dis is one time you-all done gone and met yo match. Dat man! Umpp . . . umppp . . . umpppp!" And Bessie went to collect the two empty goblets, shaking her head dolefully.

"Have I?" demanded Lily Owens. "Bessie, you go downstairs and tell one of the boys to go over and tell Harlan to come up here right away."

Chapter Six

THE GAME AT THE Silver Pound seemed to have started less than an hour before, but it was gaining momentum. Gardner and Massey, the two professionals, played silently, a nod often substituting for a word. They were immaculately dressed; expensively so. And the diamonds they wore were not of the large, flashy type sported by tinhorns in a run of good luck. No doubt about it, Tex thought, they were good. Big timers.

The four other men sat with their cards close against their chests, one with the short stub of a cigar clenched between his teeth. This was Tom Biggers, mine and mill owner.

One of the gamblers—Gardner—looked up at Tex, a slight frown creasing his face. He wanted no watchers at any time. Sometimes it was unavoidable, but this man with the pistol at his hip was alone.

"Open game?" Tex asked casually.

Gardner's pale eyes flicked appraisingly over the other in a single glance. He nodded curtly. "It's not a game for cowpunchers," he said in clipped reply.

"So I noticed," Tex said; and to the others: "Any objections, gentlemen?"

Biggers rolled his cigar to the other side of his mouth and said through clenched teeth, "Set in, stranger. It's open."

Tex pulled up a chair and sat down. The bank man looked at him. Gardner.

"How many?" the gambler asked.

"About twenty whites and some reds and blues," Tex replied, reaching inside his shirt.

The gambler's poker face lost enough of its blankness to let a faint, satisfied sneer come over it as he slid out twenty whites, ten reds and ten blues. This was going to be good.

"Hundred on the whites, two hundred on the reds, five on the blues, cowboy. Nine thousand."

"Correct," nodded Tex Burnett, and slid a sheaf of gold notes from the belt beneath his shirt.

He tossed them across and picked up the chips, stacking them expertly with deft movements of his fingers. Gardner's eyes widened. Massey's remained expressionless, almost boredly so, but Burnett knew perfectly the thoughts passing through their minds.

They had, he thought, made a mistake in coming in on the same stage. It would have been better to have come in separately and kept apart.

They began to play again, but somebody had seen the money passed across and word began to spread. In fifteen minutes the table was ringed with excited miners and other patrons. Pearson came back from the Pheasant. He had bowed to Lily Owens' demands. Not only did she not want Burnett bucking her own group of tinhorns, but with him working in the Pound it would give her little chance to see him. And, determined woman that she was, Lily Owens was set on becoming better friends. Something about his calm young-old face told her that those cobalt eyes had viewed much of life. His manners proclaimed him educated and a gentleman.

In short, Tex Burnett had struck the fire that Pearson hadn't been able to ignite.

Massey looked up as Pearson had drinks sent over from the bar. Brandy. Ed the bartender was still eyeing Tex a little suspiciously. He placed the brandy glass at Tex's black-clad elbow.

"Out of Mr. Pearson's private bottle, just like he said, Mr. Burnett. Anything else I could get you?" Ed was thinking of a possible big tip from a possible winner. Gamblers, after a night of heavy winnings, often tipped the barkeep up to a hundred dollars. "Cigars? Tobacco? Coffee?"

"Pigeon milk," Tex explained. "Only thing I ever drink before eight o'clock. Got any?"

"Pigeon milk?" muttered the barkeep. "Don't they lay aigs, like a hen or somethin'?"

"It's all right," Tex explained to Ed. "Can't have all the luxuries of modern civilization in a new camp. Must be the climate makes 'em all dry out this part of the country. Anyhow, it takes a spe-

cial machine to extract it from 'em. No, don't apologize. It's quite all right."

"I'll try to get one of the machines for you, Tex, and we'll have some pigeons sent out," Pearson cut in smoothly. "Ed can probably get the hang of it in a week or two. I rather enjoy a bit of it myself now and then."

Ed went back to the bar, scratching his head and frowning. Pearson wasn't a man to make jokes; if he said you could squeeze milk out of a bird with a new-fangled machine, then bring 'em on. Ed knew he was a pretty ignorant man, but any fool oughta be able to get the hang of a pigeon-milking machine.

He went back to his customers, still just a little uncertain. The main supper hour was over in the Pound's dining room and customers clumped up and down the stairs to and from their rooms. The crowd around the table increased. Gardner frowned.

"Funny," Tex observed, as Massey, dealing, turned up a King on his third card, "I'da sworn I saw that King som'eres else a little while ago. Reckon my eyes fooled me. They'll be doing crosses on me next."

Massey let his eyes play over the table, straight into Tex's. "You real sure?" he asked coldly.

"I must have been mistaken," apologized Tex. "Come to think of it, it musta been that last hand 'stead of this one."

That was sufficient warning for them not to try anything crooked. Tex hadn't seen the King at all. But for the sake of the four other men in the game who were not members of the brotherhood, Tex Burnett, square man that he was, wanted to keep the game straight.

A man whistled excitedly as Gardner raked in a two-thousand-dollar pot.

The gambler looked up at Pearson, frowning; his chiseled features expressed irritation and a little disgust.

"Mr. Pearson, if it's agreeable with these other gentlemen, I'd prefer to move into a private room where there is less distraction. The noise of the crowd makes it difficult for me to concentrate, and I'm sure the others will agree."

Pearson said, "Certainly, men. I have a special room upstairs for private games. Would you care?"

"Suits me," grunted Biggers, the mining operator, tossing his

cigar stub away and lighting another. "I can lose up there just as well as down here. Let's go."

They gathered up chips and money and went through the arch leading into the crowded lobby. Pearson himself led the way. The disappointed watchers of the game saw them go and turned to seek diversion elsewhere. Frenchy LeBleau shrugged his slim shoulders and sought a game. Big Thumb Barton, always eager to make as much money as possible, had been busy all evening.

Frenchy limped by the table. Between deals he said to Big Thumb: "Tex is playing for the big stakes, I think. Somebody's going to win a lot of money in that game tonight, I think. W'at you think?"

"I think," growled Big Thumb, "that you oughta get to work and let them fellers play their own game."

Presently Pearson came back downstairs. The two night bartenders had come on to relieve Ed—still dubious about the pigeon milk business—and after leaving orders with them to take care of the men upstairs. Harlan Pearson took over as floor manager, making occasional trips up to the Pheasant. Presently Jed Haraway strolled in, still picking his teeth. The bearded freighter leaned against the bar and Pearson came over.

"Looks pretty good tonight," Haraway said, eyes surveying the rapidly filling gaming room of the Pound.

Pearson nodded. "Pretty fair. Big game upstairs."

"So I heard. Burnett and the big boys, eh? My money's on Tex."

Pearson became all attention. "He's that good?"

"He's that good."

"So you knew him?"

"Knew of him. That platinum hair of his used to be the trademark of one of the greatest pasteboard men in the Southwest. I'm surprised nobody has got wise yet; but then this is pretty far north, and Tex has been out of the game for a good many years."

A call came from the gaming room upstairs, a small bell that jangled from a cord on an ingenious set of little pulleys. One of the bartenders went up. He came back down again and began fixing drinks and then laid out several expensive cigars.

"How's it going, Bert?" Pearson asked the bartender.

Bert drew a significant finger across his throat. Cutthroat. Apparently the amenities were over and the men were out for blood. "Burnett's seven thousand in. Gardner got four of it, Massey the other three. Biggers is six thousand loser. Don't know how much for the others, but they're behind. Looks like a big night for the big boys."

"Looks like the last night too," Pearson said to Jed Haraway. "Lil's having Bud Bailey put them out on the stage tomorrow."

"Too bad," commented her father. "An ambitious woman can make a lot of mistakes. Well, I'm a working man and I've got to turn in."

"Another haul tomorrow?"

"No," Jed Haraway said, "Bingham, the driver on the morning stage, came down with a bad cold today. I'm taking his run out in the morning."

Chapter Seven

THREE-FINGER CHARLEY cleaned out a few miners in the Golden Pheasant and, seeing nothing else in prospect for the moment, strolled over to where Bud Bailey sat in his lookout chair.

"How's it goin'?" Bud asked.

Charley shrugged and scratched his chin with the little finger of his maimed hand. "Not bad. I clipped a couple of miners for three hundred."

"It's early."

"I reckon. Seen anything worthwhile from the chair?"

Bailey nodded. He indicated with a jerk of his head a table in a far corner where five men were grouped around a roulette wheel. One of the men was a huge, checker-shirted miner, the

mud of the pits still upon his boots and the grime from the day's work still evident upon his face and hands. He stood with a bottle of whiskey in one hand, very drunk, and the table in front of him was piled high with chips which the croupier had pushed over. The miner, who was having a tremendous run of luck, was too drunk to stack his own chips. He was fumbling piles of them out on every bet and he couldn't seem to lose.

"If he stays with the wheel long enough," Bud Bailey said, "they'll get it all back and the rest of his poke. You go over and give Newt a couple of hundred and tell him I said to start bucking that wheel. Act drunk. Start a fight and then bust that big miner. Knock him down with a gun barrel. While I stop it, you help thet gent cash in an' then take him out to bandage up his head. Get back pronto so's to be in the clear. The boys will take over from there."

"Same split?" demanded Charley, low-voiced.

"Same split. So Lily Owens thinks she's got me workin' here, doin' her dirty jobs of chasin' gents outa town, all fer small change, eh?" he sneered.

"And the Deacon figgers he's so smart checking up on all the boys' winnings," Charley grunted. "They'll find out. That reminds me—you got a job in the mornin'. The two big boys down at Pearson's. I hear she wants 'em outa town on the stage."

"Yeah?" asked Bailey narrowly. "I hear other things myself. Burnett's playin' with 'em up in the Pound's big game room."

"I saw Frenchy little while ago," Charley replied. "He was up there. Tex is in for seven thousand so far."

Bailey was amazed. "That kind of money?"

Charley grinned at him. "That kind of money. I never saw Tex in the old days when he didn't have fifteen or twenty thousand on him." He held up his hand with the missing thumb and forefinger. "I've got a score to settle with that hombre."

"How come?"

"It happened," Three-Finger Charley replied softly, "one night fifteen years ago when I tried to take part of that fifteen or twenty thousand off him. He shot this hand away across the table. I told the Deacon I was goin' to square up, and him and Lily raised holy heck. Laid down the law to me and all that stuff. And they was fools enough to think I'd let 'em stop me."

Bailey was surveying the crowd, his hard face beneath the Stetson he now wore brutally thoughtful. This was perfect. He and Charley had done pretty well recently, spotting flush miners and having the four men under Bailey mug them in the darkness. The stagecoach holdup too had been pretty profitable. But here was an opportunity to make a killing.

He was to order the two big-time gamblers to leave town the following morning.

What more perfect than to hold up the stage and take their large winnings?

Long hadn't as yet come back from a trip to the outhouse, and Bailey bent low while he talked. Charley grinned, nodded, and made his way among the tables to where the man Newt idled among the spectators at the games. Presently Newt, hand in his pocket drifted toward the roulette table, where the big miner still fumbled with his chips and still won steadily.

Newt shoved in against him, lurching a bit. He stared back angrily at both the miner and the cold-eyed croupier and flung some money down in front of him. "Gimme some chips," he snarled.

The dealer quietly obeyed, his face impassive.

Smoke curled lazily up toward the ceiling. The click of chips, the drone of the house men's voices, the murmur of men filled the room. The long bar was doing a good business and from over in another corner a piano gave off barely audible sounds.

Lily stood now at the end of the bar, talking with a mining superintendent, though her thoughts were elsewhere.

She, too, had heard about the big game in an upstairs room at the Pound.

Then the fight started at the roulette wheel. She heard shouts, a roar of rage, saw a gun barrel swing high and land hard on a shaggy head. And even before she could turn and signal Bud Bailey, the lookout already was out of his chair and plowing through the crowd to get to the scene.

"Excuse me," she said to the man beside her, and went over.

The man was down, blood streaming from a cut over one eye, his partly empty bottle drooling more of its contents onto the raw plank floor. Bailey had one of his own men by the collar and was cursingly shoving him toward the front door.

"Damn it, Newt, you ought to know better," he was yelling. "Do your fightin' some place else. I told you Miss Owens don't like it."

She watched him shove his own man out onto the boardwalk. One thing about Bud: He was ignorant and pretty mean, but he earned his salary.

Three-Finger Charley looked up from where he knelt over the bloody-faced miner. Several men were picking up the chips scattered from the pile on the table.

"He's hurt pretty bad, Lily," Charley said. "Newt was some riled and a little drunk, I guess."

"Take him up to my room and let Bessie fix him up," she ordered.

"Now, no reason to mess up the place. You start doin' that and you'll have every man in camp with a sliver under his nail comin' up to get treated."

Laughter rippled through the crowd. She knew it was true.

"Then go find a doctor, Charley, and have him fixed up," she commanded. "Send the bill to me."

The miner was coming out of it. Charley got him under the armpits and hauled him to his feet, reeling and limp-legged. The croupier already had gathered up the chips in a cloth sack and sent them to the cashier's cage by a floor man.

"Where's m' money?" mumbled the miner, shaking his head like a great shaggy dog.

"They'll bring it in just a moment, Joe," Lily said.

"Oh, hullo, Miss Lily. Say, who hit me anyhow?" The blow had sobered him just a bit.

"Another drunk," Charley put in. "Come on, Joe; we'll get your money and then Miss Owens says to take you to a doctor. I'll get you fixed up."

They collected the gold notes and the coined double eagles, the miner cramming them into the sack. Charley solicitously took his arm and they went out. Newt was off to one side. Farther away in the darkness lounged Bailey's three other men.

Charley signaled Newt and walked on with the unsteady Joe.

Five minutes later the tinhorn returned to the Golden Pheasant. Newt was ahead of him. The three others had not returned.

"Well?" inquired Lily Owens.

Charley took a handkerchief and wiped at a spot of blood that had come from the cut on the miner's head made by Newt's gun barrel.

"He got sore and went on up to his cabin. Wouldn't let me do a thing," Charley replied. "But I guess he'll be all right. There's Newt, drinkin' again. Bud says as how he's really goin' to give him the devil in the mornin'."

"He'd better," she replied. "This place will be run right and with very little rough stuff. You're loafing, Charley. Get in one of the games."

He nodded and walked away toward Bailey's chair, quite satisfied with himself. His and Newt's alibi was perfect. The miner Joe lived a good quarter of a mile up the gulch from the end of town, and it took a lot more than five minutes to walk there and return.

"All right?" Bailey asked, low-voiced, from his chair.

Three-Finger Charley gave a brief nod and headed for one of the games.

Chapter Eight

THE UPSTAIRS gaming room in the Pound occupied a position on the east side of the building, the open window looking out upon the wagon yard about one hundred yards away, the blurry forms of cabins and tents beyond; and, still farther to the east, the side of the gulch rose up steeply toward the crested ridge and the night sky above. Lights twinkled out there where night men were at work, but the three men now playing didn't see these things because the shades were drawn. Two a.m.

Biggers and his companions were gone, nearly ten thousand losers. Tex faced the drawn blind of the window; Massey was across to his right, Gardner of the cold, chiseled features to his left.

The odor of stale cigar smoke filled the room, the ash trays were overflowing. The men were hatless and coatless, Tex's platinum hair gleaming in the light from the two wall bracket lamps. Gardner and Massey had loosed their ties; their white shirts were open at the front, their sleeves rolled up. No arm hideouts for them. That was tinhorn stuff. These men were gamblers.

"It's getting late," Massey finally grunted, winner by three or four thousand. "Let's get out of the baby class."

"I'm just getting started," Tex replied. "Once sat in a game for nearly forty-eight hours. Your ante," to Gardner.

Gardner anted: two thousand for an opener.

So, Burnett thought, here it comes.

Massey shuffled and slid over the deck. Tex cut, with his left hand. So far they'd been pretty cagey. No amateurish stuff like using a ring mirror of the kind the Deacon wore or using hair oil on the tip of a finger to oil the face of an ace and then, by pressing down when cutting, cause it to slide off and be placed on the bottom of the deck. They were playing draw now.

The pot grew bigger. Gardner discarded three cards. Massey two. Tex tossed two of his own. It was dead quiet now; three men as poker-faced as the card pictures of the Kings and Jacks.

Gardner bet, both blues and reds from his huge stack of chips. Massey raised.

"Check," Gardner said.

"Check," from Massey.

"A thousand more just to make it interesting—out of the baby class," Tex smiled.

They met it, spread out their cards. Gardner held three Kings, Massey a straight club flush. Tex looked at his three aces.

"Too bad, cowboy," Massey sneered, and reached for the pot. He paused, hands cupped out around the pile, his face changing color. He stared at the muzzle of the Colts .44 that peeped at him from over the edge of the table.

"So that's it?" he whispered. "And I never thought I'd fall for such a trick again. A gambler who stays in until the last and then holds up the other players."

"When I cut the deck," Tex Burnett said coldly, "I used my *left* hand. I marked the King with a ruff on the edge of it. It

matched the ones you pair put on the other three Kings—the cards you dealt Gardner, figuring he could beat my hand. You were going to bluff on a possible straight, until you felt that ruff and figured Gardner had marked it for you. So you dealt it to yourself for a straight. That's all, gentlemen. The pot is mine."

He reached up and jangled the cord above his head.

"I'm cashing in," he told the two men, his six-shooter still held steady. "I'm in thirteen thousand. There's fourteen or a little better in the pot. You can keep what you won off Biggers and the others. You were clever enough to play 'em square while they were in the game."

He began raking in his chips with his left hand; stacking them with expert fingers. The two others sat immobile. Gardner said in a flat voice, "Who are you?"

"The name's Tex Burnett."

"Ah," whispered Massey. "I've heard of you. San Francisco. Seven years ago."

"San Francisco. Seven years ago. And tomorrow morning you're going back there, or some place. It's two o'clock. You've got about six hours to make that morning stage going north. Be on it, gentlemen."

"Pearson is coming up the stairs. He might have something to say about it," Massey observed.

"He'll have nothing to say," was the stony reply. "I'm kind of taking upon my shoulders the civic responsibility of doing a favor for the miners and other men working here. I'm ridding the town of two men who will do no fleecing. There might be others of smaller caliber to follow—"

Pearson opened the door and came in. His eyes widened at the scene, the heavy Colts still up over the edge of the table.

"What's up, men?" he asked quickly.

"Massey and Gardner are leaving town on the morning stage," Tex said. "They've no kick coming. They took Biggers and the others for plenty. But I don't like crooked gamblers, either big timers or the tinhorn variety. They're going out."

Pearson hesitated, his eyes darting at the two men. "What happened?"

Tex rose and sheathed the six-shooter, rolling down his sleeves. The others were doing likewise. Massey turned to put on his

coat, hanging over the back of his chair. He slid one arm in and then half spun.

A six-shooter roared. It roared again from Tex's hip, lashes of fire spurting out. The gun in the gambler's hand clattered on the table as he spun around and crashed over the chair, knocking it to the floor. He lay face down on top of it, his body queerly humped, red beginning to run from his mouth.

Pearson cried out, half in awe, half in horror. Then, in a whisper: "You got him. Got him when his gun already was in his hand."

Gardner's cold face was as expressionless as ever as he finished buttoning his coat. Footsteps were pounding along the hallway and up the stairs. Tex said coolly to Pearson, "Cash my chips out of the bank. That pot there I just won. I expect Gardner will take Massey's. They were pardners."

Pearson went to the door and opened it. He yelled down for the bouncer and a floorwalker, already coming up.

"It's all right! It's all right, folks," he kept repeating. "Just a shooting. Here, boys, get these people back downstairs and you other folks go on back to your rooms."

He turned and came back, wiping sweat from his forehead. He cashed in the chips from the bank box they had been using, returning Tex's original money and a thousand or so more. Burnett turned to Gardner.

"It still goes," he said coldly. "You go out tomorrow."

He went on down the steps. People stared at him. Miners gave way, the buzz of conversation subsiding. The two night marshals came running in, gun packers who dangled hand-made clubs from thongs on their left wrists. They disappeared toward the crowd gathered around the foot of the stairway. Tex moved on up the street and came into the Golden Pheasant.

It was late but there was still a pretty fair crowd of late players, and the kitchen was still in operation. Burnett went over and sat down with his back to the wall on the same stool that had given him a full view of the room. He ordered bacon and eggs and waited.

He saw Lily Owens coming toward him.

"Good evening, Tex," she greeted him. "Or should I say good morning?"

"How are you?" was his quiet reply,

"Waiter," she said to the night man, "Tex's order will be taken up to my room, along with one of the same for me. I like a late bite too," she added to him.

He took in her beauty; it left him unmoved.

A bit earlier when Bud Bailey had finished his evening stint and, with Long, quit for the night—turning one chair over to the man who would stay on until eight o'clock—she had called Bailey to her office upstairs.

"I've got a job for you," she'd said without preamble.

"Burnett, huh? That's goin' to take a little bit of different—"

"No doubt. I saw what happened downstairs this evening when you made almost as much of a fool of yourself as Lance did. By the way, where has he been all evening?"

"I don't know. He sorta disappeared. He'd been drinkin' quite a lot. Probably in his room at the Pound or over in Jed's cabin sleepin' it off. But about this gun slammer Burnett—"

"There'll be nothing done about him," she cut in again. "I want him to stay around for a while. The job I'm referring to is those two men down at Harlan's place. I believe they have rooms there. Wake them up in time for them to catch the morning stage north. Incidentally, Dad will be driving."

"Now what do you mean by that?" he protested.

"You know quite well what I mean!" she told him coldly. "Those gamblers would be good pickings for the same men who held up the stage once before. And they might decide to shoot the driver."

He started to protest again, but she had dismissed him. Bailey came downstairs scowling. He went on a hunt for Lance Haraway, and found him sound asleep over in Jed's cabin, in the bunk above the one reserved for Tex.

And the man they called "Evergreen" hadn't been sleeping off too much liquor.

Chapter Nine

IN THE Pound Harlan Pearson was still in the room with Gardner the gambler. Massey's body had been removed by the two marshals, and the Pound's owner was careful to keep his eyes away from the red stains on the floor. Pearson was a pretty cold-nerved man, but the lightning extinction of Massey had left him visibly shaken—and very uneasy.

He poured a drink from a brandy bottle a bartender had thoughtfully brought up and nodded for Gardner to take one.

"I didn't intend for this to happen, Luke," he said. "I wouldn't have had it happen for anything in the world. I never dreamed it would."

Gardner poured, his chiseled features still as expressionless as when he had been stacking chips into the pots. He sipped slowly.

"All in the game, Harlan. Mass spent his life taking chances. The wrong card came up tonight. That's all. I'll split his pile with you. The big question now is: What tomorrow morning?"

"I've been thinking very hard about that. Lily told me tonight that she was having you sent out on the stage. I brought you boys in here to clean the tinhorn crew she has working for her. . . ."

"And to make all the money you could," cut in the other, irony in his voice. "Strange how things work out sometimes, Harlan. You and I went to school together. We saw the South torn to pieces by war and fire, our families' slaves taken away, our cotton markets smashed. You saw us reduced to little more than starving Southern aristocracy. Beggars with nothing but tradition and a fierce pride in our heritage left to carry us through. Some of us didn't have the backbone to get up and start fighting again; others went the easy way of the carpet bagger, the licker of Yankee boots for a Yankee dollar; and there were men like you and myself who fought back as hard and as mercilessly as the two armies fought. You came West, I took to the card tables on Mississippi steamboats. And now we're here."

"Yes, two gentlemen from Georgia," Harlan Pearson said with the same touch of irony in his voice.

"We have reason to be satisfied," the gambler went on. "You with your place, I with the money that I have made and will make again. The one criticism I find to make, Harlan, is that it was your weakness for a woman that caused you to send for Mass and myself. A driving power to get money and more money in any way possible; anything to win her. Does she mean that much to you?"

Pearson nodded. "That much."

He shrugged and Gardner gave off one of his rare smiles. "I'll say it for you. It's play the game her way, match her stride for stride, or never get her. Have you tried beating her?"

"*Beating* her?" Pearson stared aghast at his boyhood friend.

The gambler laughed. "I don't mean as Father would have whipped a slave. I mean breaking her—smashing her down—making her come to you. It might work."

"Yes," Pearson said slowly, "it might work. I hadn't thought of it. It might be worth a try. Meanwhile . . ."

"Meanwhile, there is the matter of Burnett's ultimatum to me. You've covered your operations here pretty well. Nobody in town knows the connection between us. Now we've got six hours to make a decision. I've killed a couple of men over gaming tables, but I'm not a gun fighter of Burnett's caliber. That man is the deadliest thing I've ever seen walking on two legs."

"I know. I realized that when I first saw him come in this evening. I knew he was more than just a rider. It was in his looks, the way he wore his clothes, his gun. So I went over to feel him out. The upshot of it was that I offered him a job here while you and Mass were playing downstairs. The game he later got into."

The gambler looked at him in surprise. "A job? Why, Harlan?"

"Bud Bailey. I had a hunch. A hunch that a man with a well worn gun like that could down Bailey in any kind of a ruckus. It was, incidentally, proven in a minor sort of way. Bailey tried to draw on him in the Pheasant right after he left here. Burnett had him covered before he got his gun from beneath his coat. I wish there was some way I could get Tex over on our side."

"Mass is dead, Burnett is ordering me to leave town, and you'll never break Lily until you put this Bailey plug-ugly out of

the way, along with the tinhorns, and wreck her business. We've got to make a decision, Harlan. We have six hours in which to do it. I'm waiting for suggestions."

"I'll go talk to Tex and ask him to change his mind," Harlan Pearson replied. "He's a pretty fair man."

"And if he doesn't?"

"Then . . . a shot in the dark within the next few hours. Before daybreak."

"That will still leave Bailey and Lily Owens' orders to him," the gambler reminded him.

"Yes, I was thinking of that. Come on; let's go downstairs and I'll go to the Pheasant. Alone."

And while they talked there were other men in a huddle in a big tent saloon up at the north end of the gulch. Deacon Sellers, Three-Finger Charley, Tommy Ace-in-the-Hole, Frenchy, Big Thumb Barton, Black Jack, and Wild Cat Cresty.

The Wild Cat was taking little part in the discussion. He sat with chair tipped back against a railing running around the inside of the tent's walls, humming under his breath. And when the Wild Cat hummed that meant trouble for somebody. He'd found a toad some place—a great big fat fellow—and the toad was squirming, concealed in one paw, while the Wild Cat eyed first the Deacon and then the others.

He was wondering which one would jump the highest if that toad somehow got down the back of his shirt.

"She's been a pretty big night, I think," Frenchy said.

"Fair," grunted Deacon Sellers. "I won't know until I make a final check with all the houses in town."

"He's such a trustin' feller," the Wild Cat commented, and eyed the back of the Deacon's collar again.

The Deacon shot him a surly look. "I trust you just about as far as you'd trust me, Cresty. That's about one hundredth of an inch. But nobody's got any complaints so far. Our big problem right now is Burnett."

" 'Ourn,' he says," jeered the Wild Cat. "He runs the bunch of us under Lily Owens' orders, but when it comes to somethin' unpleasant it's all of us. But go on, podnuh; I'm a-listenin'."

"Tex won't come in with us. That means he's got to go. I told

him that when he got in town. I was figuring on Bud Bailey taking care of it. Bud can still do it if he'll let his fool pride alone and use his four men to back him up. But I know Bud too well. He'll probably try it alone and get himself killed. So we're not figuring on Bud. It's got to be us. Burnett can wreck us here and we've got too much at stake to let it happen. So it's up to us."

"Count me out," Wild Cat Cresty said flatly, the toad in his hand forgotten. "I ain't forgettin' the time when one of my wives was sick—"

"You never had a wife," cut in Charley, grinning. "That's a good 'un, that is! Haw-haw-haw!"

"Well, she was my wife for the time bein'. Anyhow, she was sick and I was down and out an' Tex come through with enough to take care of her, plus a stake for me to get me back on m' feet. So count me out."

"You're in," Deacon Sellers told the pudgy man coldly. "You'll play with us or you get run out of town."

"That," snickered Wild Cat Cresty, "I can hardly wait for. You goin' to do it all by yore ownself or have the rip-snortin' Bud Bailey do it?"

Sellers ignored him and went on. "I'm going to talk plain. Tex won't leave, so he's got to be packed out. I'm not squeamish and I don't believe you others, with the exception of Cresty, are either. So Tex stays. Permanent. Two thousand cash from our winnings to the man who gets him in the back, when it's dark. Well?" he snapped in the silence that followed.

Black Jack Smith shifted in his chair and looked at the others. He shrugged his big shoulders. "Agreed."

"I'm in," Charley said. "I haven't forgot how I lost a thumb and finger. I'd jump at the chance. And you," he sneered at the Deacon, "tellin' me only a few hours ago as how I was to greet him with kisses and such. Pah!"

"By golly, I go along too, I think," Frenchy LeBleau said.

The others nodded, all except Wild Cat Cresty. He had the toad down inside of his shirt now and was fashioning a small Napoleon hat from a piece of paper. He brought out the toad, placed the hat over it, and set it on the bar. The hat went crow hopping down the length of the rough plank and the Wild Cat rose leisurely, chuckling at the sight, and retrieved his prize.

"Count me out," he said. "But don't try to *run* me out."

This started some persuasive talk which got nowhere. Cresty was adamant. Argument followed. It had reached the threat stage when the flaps of the tent were pushed aside and two men, clubs dangling from thongs around their left wrists, entered.

"Hello, Bothwell," Deacon Sellers greeted the larger of the two, a once massively built man now going to fat. "Howdy, Howard," to the smaller and younger.

"Hello, Deacon," grunted the big marshal; and to the bartender: "A snort, Loopy. Big one. On the house, as usual."

The big-eared barkeep nodded and reached for a bottle. Bothwell turned to the group at the table. The Wild Cat had bent down to pick up a small rock from the dirt. He flicked it at a fly asleep on the side of the tent wall.

"I'm looking for a man," the marshal said. "Platinum hair, dressed in dark clothes—cowpuncher—wears a six-shooter. Same gent who threw a gun on Bud Bailey. Seen him?"

"Tex Burnett?" Charley put in. "He was up in the big game room at the Pound, having it out with a couple of—"

"Tex Burnett?" Charley put in. "He's not any more. One of 'em's dead. Feller named Massey."

"He *was* up there," Bothwell cut in.

"What?" burst out Frenchy.

"Got him over the table with a .44 on what was supposed to be a crooked play."

"If Tex said it was crooked," Cresty put in, the toad back in his hand, "then you can bet yore life it was, mistuh."

"What happened?" the Deacon wanted to know.

The marshal told them. He added, "And that ain't all. That big drunk miner named Joe who made a cleanup at the Pheasant tonight was found a little while ago right in front of his cabin with his head bashed in. Dead. Robbed. And two more miners got stuck up by a masked man on their way home. The town's boiling. There's talk of a miners' meeting and vigilantes. Unless I miss my guess there's going to be a real mess of trouble poppin'."

He reached for the drink. "Well, we'd better get on down to the Pheasant. Maybe he's in there. Here's luck—"

He had the glass to his lips when something happened.

Whiskey spewed from his mouth and the glass hit the dirt and went rolling. Bothwell let out a bawl of sheer terror as the cold object slid down the back of his collar and along his spine. He spun like a big bull, yanking hard at his shirt tail. It came free and a big toad plopped to the dirt. Bothwell stared foolishly down at the toad. The toad stared foolishly back at Bothwell.

And from somewhere out in the night came roars of coarse laughter above the sound of running boots. The Wild Cat had scored again. . . .

Elsewhere there was still more conversation in low whispers that night. Over back of the Pound's wagon yard Bud Bailey had slipped through the darkness toward Jed Haraway's cabin. He went with a gun in his hand because he wasn't sure what he would find.

Luck, however, was with him. He stepped into the doorway and struck a match with his left hand—and found himself staring at the muzzle of Evergreen's pistol. The youth lay in the upper bunk above where Tex's belongings had been placed. From the room beyond came the heavy sounds of Jed Haraway's breathing.

"Oh, it's you," grunted Evergreen.

"Shhh," whispered Bailey, and dropped the match. "You seem kind of nervous."

Evergreen slid his length over the edge and eased to the floor, fumbling for his boots.

"I am."

"You got good reason to be. I've been hearing plenty. Come on outside and don't wake up Jed."

They went out into the darkness and walked over to the wagon yard. It was dark and quiet; Curley was asleep on his bunk in the office. The two went in and sat down on the tongue of Haraway's big freight wagon.

"Spill it," grunted Evergreen.

"You got kind of careless tonight, didn't you?" growled Bailey.

"I don't know what you're talkin' about."

"You know very well what I'm talkin' about. I don't mind you doin' this lone wolf mugging nights. A man has a right to earn a' honest dollar now an' then. But, you dam' fool, you didn't hit one of them two hard enough. He come to just as you were runnin' off. I don't know whether you was recognized or not, but

this town is smoking hot tonight. Another man got killed. Big miner named Joe who made a big pile at roulette in Lily's place. Got into a fight with Newt an' got hit over the head with Newt's gun. Three-Finger Charley took him out to get his head bandaged, but the drunk wanted to go home. He got to the front door."

"So Newt follered him up and got him, eh?" sneered the youth.

"Newt wasn't gone five minutes and neither was Charley. My boys are all accounted for. They were playin' poker up in a tent bar and the bartender will swear to it." Which was the truth. Bailey prided himself on overlooking no bets.

He sat and listened patiently to Evergreen's angry denials. A night hawk swooped low over the corral, on the lookout for mice. Somewhere a horse blew and stomped the ground. In the distance to the south mining machinery groaned.

"But that's not all," the two-gunman went on. "Tex Burnett killed one of them big-time gamblers in the Pound's card room upstairs on what was supposed to be a crooked deal. But," he went on, lying smoothly, "I hear it was a frame-up. He's in with Pearson and they're out to break your sister."

"I don't believe it," snapped back the youth. "He's got it too bad over her. He'd never try to break her."

"Oh, no?" sneered Bailey. "Then how come all the tinhorns are leavin' here in a day or two and goin' down to the Pound, with Burnett in charge?"

That was a clever bit, Bailey thought, looking at the staring youth through the night.

"Burnett has to go, kid," Bud Bailey went on. "You saw what he did to me. I can get him, with the boys backing me up, but some of us would go down."

"I know," grunted the younger man. "I looked into his bag this evenin' while Pap was washin' up. Another gun. Left-hand sheath. But I ain't no fool, Bud. I'll back shoot him if I have to save Lil's business. Only seems to me it might be safer if that extra gun of hisn should be found alongside somebody who got robbed. Ketch on?"

Bailey rose and slapped him on the back, chuckling. The hawk swooped back over the yard again on silent night wings, searching.

"Kid, you got a head on you," Bud Bailey complimented him. "Go do it right now. It might help throw suspicion off you in case that last man thought he recognized you tonight."

Evergreen disappeared into the darkness. Presently he came out of the cabin again. Bailey saw his blurred form and a grin that was all sneer crossed his ugly face. He turned and went back toward the street, well satisfied with the night's events.

Behind him, it grew quiet as his bootsteps faded. The horse blew and stomped again. The hawk was gone. A man moved toward the doorway of Jed Haraway's cabin and went in.

"Jed," he called softly. "Oh, Jed?"

"Yeah?" rumbled the freighter's voice from the other room. "Come on in."

A match flared from beside the bed and the light revealed the sleepy-eyed figure of the bearded driver and a miner he knew. "What's up?" Haraway asked.

"Miners' meeting, Jed. One murder and two robberies tonight. The town's a powder keg. We want you."

"I'll be right with you, boys," Haraway said, thinking of Lily. A man had to help protect his daughter's interests.

He dressed and went out with the other now. They were one hundred yards away from the freighter's cabin when the roar of a .44 caliber sixshooter shattered the early morning quiet.

Chapter Ten

IN THE Golden Pheasant Tex Burnett had called to the waiter. The man came back.

"I'll take that order in here, though I'm grateful to Miss Owens for the offer."

She sat beside him, her eyes speculative. He was aware of her nearness, her beauty, the enticing odor of her perfume. He

was thinking that if a man ever broke through her hard shell he'd find a lot of warm, passionate woman underneath.

"So you won't accept the invitation?" she asked, low-voiced.

"I'm flattered beyond words, Miss Owens. But I'd prefer to eat here."

"You don't like me, do you, Tex?" she asked him. She was watching the slim fingers. Something about them—everything about this quiet, cultured man who could kill with lightning deadliness aroused the fire in her. She had, of course, heard about the shooting a few minutes before. The news had spread like wildfire up and down the street.

"I don't dislike you," he replied. "I hardly feel that I've committed myself on that point—certainly not after accepting your hospitality earlier in the evening."

"It wasn't hospitality at all," she told him. "It was business, Tex. I'm an amazingly frank woman. I'll be frank with you now. I like you, Tex. I like you a lot. You could do worse than to dislike me. You might find me far more interesting than you imagine."

"Not when you're in a profession I consider solely a man's profession, Miss Owens."

"So you like your woman feminine? The clinging type with water in their veins instead of red blood. I'm not that kind. I feel that if a woman wants something she should go after it—whether it's money, power, or the right man. I made you an offer tonight, which you refused. I'd like to make it again."

"I'll play it alone, I reckon," he said quietly.

She half rose, the dangerous glint coming into her clear eyes. She didn't realize that in that moment of anger she was more beautiful—ravishing, the Deacon would have called it—than ever before and that it was disturbing him. Her next words dissipated the impression.

"In the Gulch people play the game my way or they don't play it, Tex," she told him in a level voice. "I want you here because I like you—I like you very, very much—and because I need you. But if your decision is final there's no room for you in Mule Gulch. You'll have to go. The man who didn't shoot tonight—his name is Gardner—is leaving on the eight o'clock stage driven by my father. Eight o'clock is the deadline for you too."

"I once knew a tinhorn named Hole-Card Pete who was the

most peaceable man I ever saw until he lost his temper and his head too. He and a fellow named Sansone, who got hung down in Arizona, I believe. Both good men, but just one weak spot in their armor kept them from being much better. This foolish determination of yours to boss a tough boom camp can lead to your downfall, Miss Owens. If you're a woman in a man's game, you'll have to play it by a man's rules."

"I am. That's why Bud Bailey and his men work for me. I—"

It was then that Harlan Pearson came in. He greeted them both and sat down. He looked at Tex.

"How do you feel?"

"If you mean about what occurred down at your place, Pearson, I'm sorry it had to happen but I have no regrets. No man should have when shooting to save his life. As far as I'm concerned the matter is closed."

"I wanted to talk to you both about something else. You've both given Gardner an ultimatum to leave town. He's really not a bad fellow. I'd like for him to stay."

"He goes," Tex Burnett said with just a trace of harshness in his voice. "He's crooked."

"But Massey was his pardner, Tex—his friend," protested the Pound's owner. "The least he can do is take care of the burial."

"I'll leave the decision up to Miss Owens," Burnett said. "As for the burial, there are plenty of miners still in the dives who could go out and do the job within a couple of hours. Anyhow," he went on with just a trace of irony in his voice, "I'm in the same boat with Gardner. I've been ordered to leave too."

The two marshals came shouldering in and pulled up alongside the stool. Bothwell said, "You're Burnett?"

"I'm Burnett," was the reply.

"I'm arrestin' you for shootin' that gambler tonight. Come on!"

"Fred Bothwell," Lily Owens said firmly, "I run this town and I pay most of your salary—"

"I know that, Miss Lily," Bothwell broke in, red-faced and uncomfortable. "But this thing's gettin' outa hand. It's got to be stopped, and tonight we're startin' in to put a stop to it. Do you know what happened to thet big miner that Newt Thurby hit over the head at the roulette wheel?"

She said, no, she didn't know. She hadn't heard. He told her:

found dead in front of his cabin with his head bashed in and his money gone.

"And thet ain't all," he went on. "Two more men got held up by a masked man with a gun, hit over the heads and robbed. Three in one night! Not countin' Burnett's fracas. This gulch is a powder keg tonight, Miss Lily. We got to do *somethin'!* I even heard talk about a miners' meetin' but I don't take too much stock in it. You know what'll happen if them rough miners cut loose! They'll string up innocent and guilty alike."

"And," put in Harlan Pearson sarcastically, "you're going to take a case of clear cut self-defense and do something about it, while nothing is done about one murder and two more robberies? Just to make a show? I saw that shooting tonight, Bothwell. Massey's gun was so far out of its hidden sheath under his coat that when he spun and fell it clattered on top of the poker table. Self-defense, and you'll be the laughingstock of this town if you try to do anything about it. And," he added in final warning, "I'd like to remind you that I also pay a good part of your salaries."

"Well, all right," Bothwell said, shaking his head doggedly. "If you put it that way I reckon my hands are tied. Come on," he said to Howard. "Let's get on the rounds. Don't ever know why I was fool enough to take a job like this in the first place."

They went out and the waiter brought Tex's food. He ate alone. Lily Owens left, going upstairs to her rooms. Pearson lingered a bit and then also turned to leave.

"You are staying, I presume?" he asked Burnett.

"As a matter of fact," Tex replied, "I was planning on pulling out in the morning. But I'm sort of like old Hole-Card Pete was: bull-headed when my temper gets up. I don't like to be pushed. See you later."

He finished with the meal, rolled a smoke, and went out into the darkness. He tiptoed into Jed's cabin, noted the empty bunk in the other room, and undressed. His belongings appeared to be as he had left them. Burnett placed them on the floor, stretched out on the bunk and dozed off.

As for Pearson, he had returned to the street and made his way thence back to the Pound. Gardner was waiting for him, a question in his eyes. Pearson shook his head.

"But stay anyhow," he suggested. "I can protect you, if I have to hire help. Lily might as well know now I'm against her as to find out later. Frankly, I don't know which way to jump."

They were leaning against the bar, having a final nightcap of brandy. The place was almost deserted.

"I can tell you a very good way," the gambler suggested. "Things have been happening here within the past little while. Miners have been coming in after other miners and taking them out. They're holding a meeting."

"Well?" demanded Pearson.

"They'll need a leader, Harlan. I understand you stand in here pretty solidly because of your conduct, square games, and open dislike of the tinhorns who've been fleecing your patrons. You've the intelligence and education they'll want and respect in a leader of the vigilantes. As leader, you can have the power you need to smash down the woman and bring her to you . . . on her knees. You can run every tinhorn out of town or force them to come in and work for you as they're working for her. Don't you see how simple it is? The gulch in the palm of your hand. Not even a man like this Tex Burnett could buck you. I'll remain and handle the tinhorn crew for you."

Pearson put down his glass on the bar. "I'll see you later, Luke. Stick to your room pretty close. I'm going down to that meeting. Where's it being held?"

"Down in the big dining hall of Biggers' cook shack for his men."

"Good. I'll be back later."

He went out and strode south along the boardwalk, walking fast. The tents in the block below his own place thinned out into nothingness on the flat floor of the gulch. A well worn wagon road gleamed enough for him to follow it. He walked a quarter of a mile until he saw light from the window of a long, low building of new pine board. Scores of men were milling around the double doors at one end. They were talking, mostly low-voiced. A few, still feeling the effects of the liquor they'd drunk during the night, were boasting and blowing, but the ones who could be depended upon for direct action weren't drunk and they weren't loud.

"Hello, Mr. Pearson," a miner greeted Harlan as he came up. "What're yuh doin' down here?"

"I heard there was a miners' meeting."

"Sure is. You dawg-gawned right! But, shucks—you ain't no miner."

"No. Quite correct. But it's miners' money that's making me a rich man, Jim. My interests are selfish. I want to help protect the men who are making me rich. You boys can depend upon me to help you go the limit to clean up the gulch. If there's a grim job got to be done, then I'll be right in there with you."

"That's the talk!" somebody else in the little crowd around him shouted. "We can use a man like you. We allus git a fair deal in the Pound. A lot better'n I can say fer some of them other places."

This was an opening sent straight from heaven and Harlan Pearson seized it. If he had to break Lily to bring her to him, then so be it.

"If you're referring to the Pheasant, boys, naturally I wouldn't wish to use bad enough manners to strike at a competitor. Of course, I've got no proof that those reports of trick roulette wheels, loaded dice, and marked cards being used there are actually true. I wouldn't take too much stock in it."

"Oh, yah?" leered a half drunk miner. "Thet's awful polite of yuh to be considerate of a woman, Pearson, but you cain't tell me you owners of them places don't know what's goin' on in the other places. Thet right, boys?"

"Sure it's right," growled a lanky, red-bearded mucker for the Biggers Mine. "I got cleaned in there too many times not to know. I ain't had no proof till now, but I shore believe it. Maybe the first thing we oughta do is start from the other direction 'stead o' the front. 'Stead of stringin' up who's been doin' all this robbin' an' murderin', we oughta clean out some joints."

Biggers came working his way through the crowd, followed by one of his bosses. The big man saw Pearson and came over.

"What's up, Harlan? What's this I hear about this miners' meeting? They got me out of bed and said there was trouble."

"Quite a lot, I fear, Biggers. Two robberies tonight by a masked man, Big Joe Curtiss brutally murdered and robbed of a big winning at roulette in the Pheasant—"

"Which Lily Owens probably has in her safe right now," snarled a man's voice from somewhere back in the crowd.

Another man's voice said quietly, "You're a liar," and Pearson recognized it as belonging to Jed Haraway. It was followed by a blow, the thud of a falling body, and Biggers acted. He pushed through to where the freighter stood over the fallen man.

"Here, here!" snapped Biggers. "Cut it, boys. This is no time for such business."

"Then let him keep his mouth shut about a woman," Haraway replied.

"That's right," another man put in. "Leave the women out until we get this other business over with."

"At any rate, Biggers," Pearson finished, "that's the story. Two armed robberies and beatings, one murder for robbery, and one gun fight. I'm afraid you won't get a chance for revenge on Massey for what he won off you tonight. Tex Burnett, that fellow with the white hair who stayed on after you boys left, took care of that. He killed him."

"The hell he did!" exclaimed Biggers. "Well, I'll be! I knew that man was dynamite. He knew his gambling too. I rate myself pretty good—among the best when it comes to straight, scientific poker playing—but that gent and the two others were too good for me. I dropped seven thousand. Well, let's get on inside and get this thing threshed out. I'm against mob law, but this is a raw, tough camp where we haven't any law. So if the scum has to be cleaned out of it, then let's get at it."

His entry into the huge dining room was a signal for the others to file in and take seats on the rough benches around the long tables. Pearson followed him up to the front of the room. Biggers got a chair, placed it in the right position, and stood up on it so all could see and hear.

"Men—" he began, but never finished. The doors had crashed open again and Howard, the younger of the two night marshals, burst into the room.

"Another one!" he shouted. "Tom Doolin shot down just a few minutes ago. We got the gun that did it!"

Chapter Eleven

"HOLD IT, MEN! Quiet! Everybody down. Come up here, Howard."

The crowd settled. Boots scraped on the floor. Somebody coughed. The marshal came forward. A Colts .44 dangled from his right hand.

"Bothwell and me were patrolling when we heard the shot further up the street, in back of one of the buildings," he began. "We thought it was some drunk miner takin' a pop at the sky on his way home. So we went over. Four or five men were around Tom, who was layin' on his face. He'd been hit plumb center right between the shoulder blades an' his pockets turned inside out. We lit matches and then one of the boys picked up this gun. Bothwell said to bring it down here and see if any of you ever seen it before. It's a .44 caliber single-action Colt. The front sight has been filed off—"

Pearson was staring at the gun with a queer kind of fascination. He felt a strange little chill run along his spine. He had seen that gun before!

He had seen it lash fire from Tex Burnett's hip over the poker table in his upstairs gaming room an hour before, had seen Massey—his own friend—go down before its flaming bullets.

Howard held up the gun. Biggers took it, examined it, held it aloft in the light.

"Anybody ever see it before?" the mine owner called. "Shiny walnut handles; front sight filed off?"

Then one voice spoke up in the silence that followed. It said: "I have."

Harlan Pearson got up. He went over, took the weapon, examined it, nodded his head. "It's the same gun, all right, men."

"Whose?" asked Howard.

"It belongs to the gambler named Tex Burnett. I saw him kill Massey, another gambler, with it less than an hour ago in the Pound."

The murmur again, on a rising note. Biggers silenced them once more. "You sure?" he demanded.

"Quite positive."

"All right," Howard said, taking it from him. "I'll be going back uptown. You boys take care of your business. Bothwell and me'll take care of this Burnett. Anybody know where he hangs out?"

"Yes," Jed Haraway answered. "In my cabin. But nobody'll ever make me believe that Burnett shot Doolin or any other man in the back. So you boys better proceed pretty cautious like before you start running for ropes."

Howard went out, not noticing a man who disappeared and scuttled into the darkness. Ten minutes later, the hombre knocked on the door of Jed's cabin, went in and spoke to Tex.

"Little game of tag goin' on in town," he said.

"Who's doing the tagging?"

"I don't know jest how many, but one thing I do know," Wild Cat Cresty replied. "You're it!"

In the dining hall the meeting was getting in order with surprising smoothness. Biggers was still presiding but he was protesting. They had just nominated him as leader.

"Now hold on boys," he urged. "I've got my hands full with a mine and a mill and looking out after sixty or seventy miners. It's a sixteen-hour-a-day job that keeps me humping. Only time I ever get off is when there's a big poker game around." Laughter followed this remark. "You boys all know that I'm down here at this mill and mine all day long and nights too. What you need is a man who has his fingers on the pulse of the town. Take Harlan here. He knows the miners from the strangers, the drifters, the scum. He hears things at his bar that I never hear. Or take Jed here. He's up and down the roads all day long and in the places evenings. He or Harlan could easily point out the men who are not working and have no visible means of making a living, but who *are* getting along just the same. If it's men you want to run out of the gulch, I'd say Jed. If it's crooked joints you want cleaned out, I'd say Harlan."

"Heck, put *both* of 'em on there!" a man shouted.

Haraway stood up. He looked at Pearson. "I withdraw in favor of Pearson," the bearded freighter said quietly but so as to be heard by all present. "I can't serve with him, because he just dropped a hint that the games at the Golden Pheasant are crooked."

"Well, they are," growled a man seated up front. "A crooked dive with cheap gunman like Bud Bailey and thet Evergreen hangin' around there—"

His words trailed off into silence as the freighter turned icy eyes upon him.

"The man known as Evergreen," Jed said, "is really named Lance Haraway. He's my stepson. The woman known as Lily Owens is my daughter. Gentlemen, I nominate Harlan Pearson to lead the vigilantes in cleaning up the gulch and you can count upon me to help you take care of any necessary jobs."

He walked the entire length of the building with fifty pairs of eyes upon his broad-shouldered figure, his footsteps the only sound in the room. He went back to the Pheasant.

Lily sat at the dressing table in her room, brushing her hair. She turned on the seat. "Hello, Pap. Aren't you up rather late for a man who's taking the stage out in the morning?"

He sat down on the edge of the silk canopied bed, and sighed. "Hon, there's trouble."

She listened in silence as he told her of the night's events leading up to the miners' meeting. She said nothing when he got up, knocked the dottle from his pipe into a horny palm, dumped it in an ash tray, came back and sat down again.

"So that's how it is, Hon," he finished. "I've asked you many times before to get out. I'm asking you again."

"Get out?" she exclaimed. "I'll stay right here. This gulch will be a better place for it. I'll weather it through and come out on top."

"Lily, the more brittle iron is tempered, the easier it breaks when struck a hard blow," he explained patiently. "I've watched you grow more brittle these past weeks and it's turned me sick all over. Can't you see that Pearson has given up hopes of getting you and has turned on you? What other reason could he have

had for telling those men that this place here is running crooked games?"

"Maybe he's trying to force me to my knees," she smiled at her father. "Ever think of that, Pap? No, I'll stay and, if he wants a fight, I'll fight him. I've got Bailey and I can get others. I want no bloodshed, but I can bluff with the best of them."

"Bailey might be one of those who has to go or stretch rope," her father reminded her. "Those miners are mad. Two of them murdered tonight. Two more mugged. Any man without visible means of support is liable to find this an unhealthy town to stay in. Take Lance, for instance. He's killed three men . . . two of them miners. By the way, where was he tonight? I haven't seen him."

"I don't know. I sent Frenchy around the places to look for him. He wasn't in his room at the Pound and he wasn't in your cabin when Frenchy went over. You don't think he had anything to do with all this, do you?"

"I don't know what to think," he said tiredly "I had to betray a man tonight—a man I respect very much. I had to tell them that Burnett was in my cabin. I suppose they've got him by now. Well, I'd better be going. Just one more reminder, Hon: if trouble breaks for you I'll do what I can. But I warn you once more: Harlan Pearson is your enemy."

He left the room and went to his cabin. The first streaks of dawn were beginning to show faintly in the East. He lit a lamp and began getting an early breakfast. Either Tex had not been in, or he had come and gone.

Daybreak came and then sunup; Haraway went to the wagon yard and rousted out Curley to get the team ready for the coach. Curley came into the yard, tousled and yawning. Jed helped him feed and water the horses and then strolled over to the Pheasant.

To his surprise he found Lily already up and dressed. A dozen heavily armed miners were standing near where she sat at a table drinking coffee; Harlan Pearson was seated at that same table.

"Good morning, Miss Owens," Jed greeted his daughter.

She laughed at him over the cup, her white teeth flashing. "Not any more, Pap. We can get along without that now. The

whole town knows this morning. It hasn't made me any more popular—and I'm not sure it has helped you any."

He nodded a curt greeting to Pearson, who was working over a paper with a list of names. "Any news of Burnett?" the freighter asked.

Pearson shook his head. "He must have got wind of something and flew the coop. His black was gone from the stable when the night marshals went down there after searching your cabin. There's the possibility they might want to ask you some questions."

"Any time," said Jed Haraway.

The big stagecoach was pulled up before the front porch of the Pound. The shotgun guard was busy tossing up the baggage of the three passengers. The line was a branch running twelve miles north to a stage station on the main line. It was an easy four-hour trip, particularly when there wasn't much of a load. There seldom was going out. It was coming in that men sometimes couldn't find room to ride.

Curley finished lashing down the baggage on top and jumped to the porch. The shotgun guard—a grizzled old timer named Hank who claimed to have been one of the original Pony Express riders—grunted his way up into that seat.

"Let's get rollin'," Jed called down to the three men.

They got in, the coach springs creaking as their weight settled down below. Jed unwrapped the lines, his eyes still on the crowd. He waited, and then he saw Pearson coming down the boardwalk from the Pheasant.

"All set?" the Pound owner called up.

"I reckon," the freighter replied. "But I sort of figured that we might have one more passenger this morning."

"Gardner?"

"Sort of."

"He's staying," Harlan Pearson said softly.

Haraway kicked the brake handle free and sang out to the four. They hit the traces tight against the neck collars and the northbound stage rolled out of Mule Gulch on its morning trip up to the main line station. The road followed the floor of the gulch, climbing steadily, and finally, after a hard pull up the

west side, came out into timber rolling across flat country. Jed sang out again and they hit a fast trot. Four miles farther on they dipped into a sharp water cut and started out on the other side through a mass of buckbrush.

Suddenly a shot roared out. Old Hank gave a convulsive gasp and jerked queerly, then went over the left side. His body struck the front wheel, bounced off, and thudded to the ground.

"Whoa!" roared Jed Haraway, and hauled up on the lines.

"Hold 'em high!" shouted a voice, and then two masked men emerged from the buckbrush, working their horses through.

"Where's Gardner?" demanded one, riding close enough to peer into the coach where three frightened men stared at the cocked pistol. The other masked man was covering Jed.

"At the Pound," Jed Haraway answered. "He didn't come."

He was staring at the two men. Something about them was vaguely familiar.

Chapter Twelve

TEX LET HIS black gelding take its time. He would let the stage catch up with him and talk with Haraway. The information received would determine his next move.

He rode on for an hour; then the horse flicked an ear forward and Tex reined up sharply. He saw three distant riders cutting in on a circle from the west, and something about their actions aroused the lawman instinct in him. He put the black over into the timber into cover and began working his way cautiously forward. From off in the distance, and to his rear, he heard the stage coming. It passed three hundred yards to his left, the clank of the harness and squeak of the springs plainly audible. Tex followed it, holding his course off to one side. He increased pace to keep up with it. The buckbrush began to thicken, evidence of

a gully or waterbed somewhere up ahead, and Tex worked toward it.

He was two hundred yards away when he saw the back end of the stagecoach come to an abrupt stop as a shot rang out and heard a voice of command.

He bent in the saddle and brought up the .45-90, levering open the breach far enough to make sure of the long brass shell in the chamber.

The rifle lifted to his shoulder, roared back in recoil. The big bullet, aimed high, slashed through a bit above the head of a man sitting a horse. He heard a startled yell, the crashing of horses through the buckbrush, and then three riders broke into view; three masked men spurring their mounts cruelly as they fled. Smoke wisped up from the rifle's muzzle and Tex, reloading at a run, tore out after them. They were two hundred yards away now, far too distant for effective pistol shooting, but two of them were firing back anyhow. He saw one of the masked men slide his horse to his haunches, and years on the trail told him all too well what it meant.

He was out of the saddle and hitting the ground, down on one knee. The big single shot came up as the other started shooting. He was using what sounded like a .40-40 repeater, a weapon good for fast, effective work at up to two hundred yards, but not much over that, unless in the hands of an expert. This man wasn't. Two slugs struck the ground beside Tex before the .45-90 gave off with its second roar.

The man with the repeater dropped it and did a queer fall backward, knocked down by the shocking impact of the big bullet. He rose to all fours and began to crawl as the grim-faced man from the Rio country leaped at the black and swung up. Tex sheathed the rifle in its boot and slid the Colts out of its sheath at his thigh. He rode the snorting, cagey black forward. The masked man had regained his feet now and, bandana off, was staggering around in circles. His horse had bolted; his friends were gone. He fell again and lay still. Back of him, Tex heard the sound of the stage and realized that Jed had swung it off the road and was lumbering toward the scene.

Tex rode up at a walk and swung down. He walked over and looked at a road agent who had held up his last stage. The man

lay half on his side, red coming from his mouth. He looked up at the man who had killed him, tried to speak and couldn't. By the time the stagecoach rattled up and stopped in the grassy opening, the road agent was dead.

Jed Haraway wrapped the lines and jumped down. The three frightened passengers, a little awed now, boiled out. The bearded freighter came over.

"Tex," he said. Just the one word. Then: "So they didn't get you last night? I'm glad. But don't thank me. If you got clear before they came for you, it wasn't my fault. I told them at the miners' meeting that you were in my cabin. I had to. They had your gun, Tex."

"The other one, Jed," Burnett replied. "The mate to this one."

"So you're two-gun? I should have known. But how'd they get it, Tex?"

Burnett looked at him steadily. He said in a quiet voice, "I don't know, Jed. It was in my carpet bag in your cabin."

Silence for a moment while the freighter looked down at the dead man. He lifted his bearded countenance. "I see," he finally said in a low voice.

"Could have been anybody," Burnett said reassuringly. "Your place was unlocked like almost everybody else's in town is. Miner's law. Just like the tools they leave in their pits nights. The robber who killed that fellow with my gun could have been a sneak thief as well."

"Of course. So you got this one? There were three. They shot old Hank, the shotgun guard, off the seat without giving him a chance."

"Do you know this one? I've seen him in the gulch. In the Pheasant last night, if I'm not mistaken."

Haraway nodded and absently began packing his pipe. The three passengers stood in silence. "It's Newt Thurby, one of Bud Bailey's men, Tex. I thought there was something familiar about him, even though his voice was a little disguised when he yelled at me to lift the lines."

"And the other two?"

"No, I didn't recognize them," was the low reply.

Burnett bent and removed the man's pistol from the sheath. He noted the one shot fired from the chamber next to the ham-

mer, stuck the barrel's muzzle to his nose and sniffed. He looked at Jed.

"You can chalk up an even score for your shotgun guard. If there was only one shot fired at the holdup, here's your man."

"I'm glad," Haraway said absently, and lit his pipe.

Tex turned to the three men. "Load him inside, men," he ordered. "And don't be squeamish about handling him. He'd have shot you down the same way had you resisted the hold-up. The stage will have to go back to the gulch. Jed, let's you and I take a walk. I wish to talk with you."

Haraway fell in beside him. They went over thirty yards and sat down on the trunk of an evergreen which, years before, had been struck by lightning and split. Burnett seated himself and reached for tobacco and papers.

"So he was a Bud Bailey man, Jed?"

"Uh-huh." Haraway was watching the three men lift the sagging body of the dead road agent in through the open door of the coach and huddle it on the floor. His face and eyes expressed nothing.

"I warned her," he finally said.

"Your daughter?"

"Uh-huh. Bailey and his men worked for her. Everybody in town was pretty certain it was them held up this stage the last time, but there was no proof. It was a tough mining camp and the incident soon forgotten. But this won't be, Tex. I warned her last night—or rather, early this morning—that Pearson was her enemy. He's out to break her."

"He never appeared to me to be the vindictive type," Burnett replied. He finished the quirley, stuck it in a corner of his mouth, struck a match against the sole of a boot crossed over his other knee. The smoke roiled out of his nostrils. He tossed away the dead match.

"A man who wants a woman bad enough and then can't get her can turn," the freighter replied.

"I know. I'm a fair judge of character, but I've been fooled. Maybe he's the one to do it again. What happened in the gulch last night—all of it?"

Haraway told him, pausing now and then to lean forward with his elbows on his knees, wet pipe stem clenched between his

horny fingers. Burnett sat and listened, watching the bearded face. Haraway did not look at him while he spoke.

"How'd you get tipped off that they were after you, Tex?" he finished. "When I got to the cabin you and your stuff were gone."

"One of the tinhorns named Wild Cat Cresty. Cres doesn't look like much, Jed, but he's one of the shrewdest men alive. He noses about and hears things. If there's anything doing the Wild Cat will be there. He's been in too many tight spots not to keep awake. He heard about that miners' meeting and went down. Wanted to learn if they were going to clean out the tinhorns your daughter has working for her. When you told them I was in your cabin Cres moved fast, probably for the first time in ten or fifteen years. He came back and told me."

"I've seen him," Haraway nodded. "Strange fellow. I always enjoyed the jokes he plays on people. I'm glad he tipped you off."

"That's not all he tipped me off to either," Burnett replied, and then told the freighter of the plot on the part of the Deacon and his crowd to kill Burnett because they knew he wouldn't run.

"So it looks like we're both in a spot," he finished. "I've got to find the man who took that gun of mine out of your cabin, killed a man with it, robbed him, and left the weapon for evidence. Then there's the little matter of settling accounts with the Deacon and his bunch, with special emphasis on Three-Finger Charley. Meanwhile, your daughter is facing ruin, if not death, at the hands of a man who has the upper hand and will keep it. Looks like we're in the same boat."

He rose, dropped the cigarette butt, ground it into the dirt with a bootheel, and turned.

"We might be able to help each other, Jed. I don't want to see her go under, even though she's playing a man's game, and hates me."

"She's two thirds in love with you," Haraway said calmly. "You wouldn't knuckle to her, and she's the kind of a woman who'll go to the man who'll fight her."

"A woman with the ambitions of your daughter doesn't fall in love," Burnett said. "They haven't time. At any rate, Jed, this holdup is going to start some plain and fancy ructions in the gulch. Bailey will have to run for it now, Thurby being his man."

The freighter got up, nodding. "I know," he said. "Nor will he be the only one. You see, Tex, the third man of that trio who held up the stage was my stepson Lance. You'll find it out anyhow, so I might as well tell you."

"That will be hard on your daughter."

"I warned her," Haraway said again, almost harshly this time.

He got up and strode toward the stage, climbing up over the wheel and into the seat.

"See you later, maybe."

"North of town at that big spring, in case it's urgent. But come up carefully. There'll be a guard."

Haraway nodded and unwrapped the lines. He drove over to where the dead shotgun guard lay sprawled beside the ruts, and again the three passengers loaded a dead man inside.

The stage set off southward, back toward the gulch, carrying its grim load, and Tex loped into the timber.

Chapter Thirteen

DEACON SELLERS turned as the front doors of the Pheasant crashed inward and a man ran into the room. It was one of those who had gone out to help chase the cowhands from the gulch. The miner hurried over, spurs clanking from the heels of his lace boots. Pearson rose from the table which served as vigilante headquarters.

"What's up, Lane?" he inquired. "You look excited. Those saddle tramps give you any trouble?"

"None at all," the miner replied excitedly, his eyes blazing. "We found their camp, stuck guns in their faces, and sent 'em on their way without no trouble. But, Pearson, there's plenty of it. Three men stuck up the stage 'bout four mile above here. All wearin' masks. They killed old Hank, the shotgun guard,

from ambush, an' then asked fer Gardner. Jed Haraway said it was him they were after. Then this Tex Burnett feller busted in with a rifle—same man whose gun was found alongside of Doolin. He killed one of 'em an' the other two got away. Bet you couldn't guess who the dead 'un was!"

"I'm not good at guessing games," snapped Pearson. "Let's have facts."

"Newt Thurby!" the man cried hoarsely. "Bud Bailey's man. Drilled plumb center! We run into the stage bringin' 'em back an' I come on ahead."

"Where's the stage now?" Deacon Sellers put in.

The man pointed back toward the north wall where the bar ran. "Up there about a half-mile. I come in to tell you. Now I got to go git the miners together—that's what the boys said. Judge Lynch is takin' over."

He hurried out again and Deacon Sellers watched him go. He turned and found Pearson looking at him with a steady gaze.

"Bailey and his men go," the Pound owner said softly. "Still telling me to go to blazes? Last chance, Deacon. Sometimes Judge Lynch loses his temper and runs a bit wild, from stories I've heard men in my place tell. Well?"

"On second thought," Deacon Sellers replied, "I'll reconsider. Me an' the boys go to work for you tonight. I'd better wake 'em all up."

He went out and Pearson followed. Men were coming from all directions as the advance guard of the miners spread the word. By the time the stage, surrounded by eleven mounted miners, hauled up in front of the Pound, a big crowd was on hand. There were shouted questions, answers, and an ominous buzz again began to go through the angry men.

"Quiet!" Pearson shouted, as the bodies of the two dead men were lifted out and laid on the porch.

Jed Haraway got down and motioned for Curley to go up and take the lines. The baggage on top was forgotten. The three passengers had to tell their stories over two or three times. The crowd had quieted now. Haraway went up the boardwalk. He didn't want to hear more.

He mounted the steps leading to his daughter's quarters and knocked from force of habit. Lily herself opened the door.

"Why, hello, Pap. You're back early. What happened? Breakdown?" she asked.

He nodded his bearded head. "Yes, Hon, a breakdown of the whole business. I warned you, but this is no time to say I-told-you-so. Lily, the stage was held up a few miles north of here and the shotgun guard killed. Tex Burnett happened by and killed one of the three masked men who did it. It was Newt."

He saw the slight paling of her delicately chiseled face and knew what an impact his words had made. He sat down and reached over for the decanter of Chablis.

"I need this one, Hon," he said gently.

"Newt, you say?" she exclaimed. "Then the others were his men. Did you recognize Bud?"

"Yes," he nodded. "It was him all right. No doubt about it. The third one stayed back in the brush pretty far, but I saw his head and shoulders."

"One of the others, no doubt."

He didn't answer but sat looking at the glass. Finally he said in a low voice. "Have you got a pair of scissors and razor handy?"

She stared at him in surprise. "You're shaving off the beard? Why?"

"Getting tired of it, I guess," Jed Haraway answered.

She went over and placed a hand on his broad shoulder.

"What is it, Pap? What are you holding back? Let's have it? I've a right to know."

He drained the rest of the goblet's contents and rose.

"It's Lance, Hon," he answered, looking her full in the eyes. "He was the third man in the holdup and murder this morning."

"Oh, no!" she cried out, and it came to him then that it was the first time since he'd found her once more that he'd heard such a note of fear, even hysteria in her voice.

"I saw Lance in plain sight. Even with the mask on I recognized him. At first I tried to tell Tex I didn't know, but I'm certain he had his suspicions about that gun of his which was stolen from my cabin and used in the murder of Doolin."

"You mean Lance?" she choked out.

"Yes, Hon, I mean Lance. Yesterday while I was washing up I saw Lance sitting on the bunk beside where Tex had placed his saddle belongings. There was a carpet bag with his second

gun in it. I didn't see him open the bag but I think he took a look through it. At least when I turned to get a towel he had moved fast. Only two men ever knew of that gun, me and Lance."

She sat down on the edge of a chair and buried her face in her hands; then she raised her head, and her figure rose to its full height. Once again she was Lily Owens, the firm, determined woman who played a man's game.

"Get out of here quick, Pap!" she commanded. "You know where Bailey's cabin is. They undoubtedly came back here in a hurry to get the other men, but hear that noise down the street? The miners will be after them. Get over there quick and warn him to get out. We can't see him strung up, Pap! We can't! They'll never hang my brother in this town, no matter what he's done. *I swear it!*"

Chapter Fourteen

FROM SOMEWHERE off down south of town, in the lower end of the gulch, the big whistle at Biggers' mine began to give off hoarse, bellowing blasts.

It was the disaster signal. Every man out into the open!

The morning shift came streaming out of the tunnels and stopes, some with their cap lights still burning. Somebody began to shout and the scramble turned into a stampede. Lights and caps went sailing and nearly one hundred men from the mines and smelter mill broke for a run toward town. Men working in pits saw them and followed. Still other miners ran for cabin and bunkhouse and came out armed with pistols, rifles, shotguns.

Mule Gulch had gone mad. The sun had turned a red color. Some said it was because of the smoke from the mill; others said it was blood in the air.

The stagecoach still stood in front of the Silver Pound, Curley holding the snorting, frightened horses. Two hundred men were milling around. Shouts, oaths, orders, supplications filled the air. A group of heavily armed miners, drunk and remembering losses at gaming tables, tore down three tent bars and set one of them afire. Bothwell and Howard, tired from the night's work and red-eyed from loss of sleep, fought their way through the crowd to where Pearson stood on a poker table carried out from the Pound's gaming room. The gambler, Gardner, stood impassively to one side; immaculately dressed in gray suit, white shirt, newly shined shoes, the sedate diamonds glittering from his dark cravat and his slim fingers. He had been forgotten.

Nor did anybody notice the black horse carrying Tex Burnett as it came in out of the trees and pulled up before a rude, strongly built shack which served as marshal's office and jail.

Lily Owens came down the street to where more than two hundred men milled around, and pulled up close by where Gardner stood alone. He smiled and tipped his hat.

"Miss Owens, I believe? I saw you yesterday when I came in on the stage. You were walking down the street."

"I didn't see you," she replied. "But you could be only one man: Gardner. I thought you had orders to leave town."

"I believe Harlan did say something about it, Miss Owens," he answered. "But as you see, I'm still here."

"You'll leave," she told him, fighting down the fear she kept so well hidden. She was still Lily Owens; she was still a power in the gulch. "So you call him Harlan now?"

"Yes," he nodded. "You see, Miss Owens, you're not the only one who thought of bringing in gamblers to fleece the miners. That was mine and Massey's job until your good friend"—a touch of sarcasm here— "Tex Burnett shot him early this morning and then ate a hearty meal while he talked with you. Harlan did the same as yourself. Only we were not to fleece the miners by crooked dealing, simply because it was easy enough to win without resorting to such methods. Our job was to take care of your tinhorns. Unfortunately this man Bud Bailey stepped into the picture, at your orders. He's a gun fighter and plain killer, hired by a woman." Again the touch of sarcasm and contempt in his voice. "Harlan, Massey and myself are gentlemen,—though

I should use the past tense in referring to Massey. Mr. Burnett was most thorough."

"And you knew him before?"

They both instinctively looked down the street some eighty feet to where Pearson still stood upon the green-topped gaming table, shouting and holding up his hands for silence.

"All right, all right," he called again and again. "There'll be no action until order is restored. Believe me, men, when I tell you I saw the mobs during the war. Looting, burning— look over there at that tent already going up! There'll be more of that here. If any one of you have any ideas like that, then you can get yourself another leader. I resign on the spot!"

"We don't want another leader," a miner yelled back, holding a rifle high above his head. "We just want some justice an' we want it fast! We want Bailey and his men and a few others."

"You'll get it," Pearson called back.

Gardner turned to the woman, a faint smile breaking his smooth, chiseled features. "You see. The difference between a gentleman and a roughneck. Yes, I knew him, Miss Owens. We were raised together in the South. You wouldn't know what it was like to fight for months on starving rations and then return home with your shoes and clothes in rags, to find a once beautiful plantation a pile of blackened stone and ash ruins. Harlan did. I did. It changes your outlook on life. It makes you think that no matter how strong you are, Miss Owens, there is always somebody or something a bit bigger and stronger. You're through in the gulch, lady. They're going to hang your gun fighter, Bailey; they'll hang Tex Burnett when they catch him; and, Miss Owens, they're going to swing your brother too."

The hard, hot retort that came to her lips was silenced as Deacon Sellers came by. He was followed by the rest of the crew, all uneasy, all a bit shifty-eyed now. All except the Wild Cat. He was humming.

He had a lizard tucked inside his shirt.

"There are your men," Gardner said, open mockery in his voice now. "I dare say they wish to speak with you."

They did.

"We want to talk with you," Deacon Sellers said.

"About what?" she demanded.

"Up at the Pheasant," the Deacon replied, his eyes on the crowd.

"Come on," Lily Owens said to Sellers and his crew.

Bessie came down the stairs, heading toward her mistress. She was frightened at the noise below. Lily Owens stood looking at them quarreling with her tinhorns in the Pheasant's gaming room, cold contempt in her clear eyes.

"So that's it? Running like cowards. Switching to Pearson."

"They sorta got their shirt tails out in the wind, gittin' ready fer a fast dash, Ah reckon," grinned the Wild Cat.

Deacon Sellers shrugged his shoulders, bony and sloping beneath the black coat. "Call names if you wish, Lil. But you're in our game and you oughta know that we try to play 'em safe all the time. We got everything to lose—and everything to gain by the switch. So we're switching."

"Not me," Wild Cat Cresty put in. "Thet's too far fer me to walk. Ah'm a lazy man. So Ah reckon Ah'll stay up here in the Pheasant an' play 'em. Save me the trouble makin' the rounds nights—an' anyhow Ah kin make more money by myself."

"You'll go with us," Sellers warned him coldly.

"You think Ah will?" Cresty said, the good humor gone from his face. "Any time you got some more ideas like thet just spout 'em, Deacon. An' Charley, maybe you better git that nasty look offen yore face before I jest naturally bust it in with a gun barrel."

"Let him stay," Charley sneered to the Deacon and the others. "This place is through—wiped out. There won't be a dozen customers a night come in here."

"In which case," chuckled Cresty, restored to good humor as quickly as he had been angered, "Ah'll come down an' play against *you* bunch o' thieves." He was directly back of the Deacon now, his hand inside his shirt.

"Leave him stay," growled Black Jack savagely. "He'll wake up some mornin' with a vigilante noose in his face an' there'll be one less to help split the profits."

"Very well," Lily Owens replied. "I'll settle up with you right now. Then I want the lot of you to get out and stay out."

She sent her manager upstairs to get the cash and within a few minutes they were paid off from the profits of the night

before. Deacon Sellers was the last to get his money. He straightened from the table, started to tuck in the gold coins, and a strangled squawk broke from him.

"My pet rattlesnake," bawled Wild Cat Cresty. "I had him in my hand an' damned if he didn't slide down the back of yore neck!"

His hand went out and down in a hard smacking sound, hard against Bessie's buttocks. She screamed, and the Wild Cat broke for the front door, his roars of coarse laughter filling the Pheasant's big, deserted room.

Deacon Sellers had slung off his coat and, like the marshal the night before, jerked out his shirt tail. The lizard thudded to the floor and streaked across the room. Sellers' eyes blazed and his hand flashed beneath his shirt. His gun and Three-Finger Charley's came out simultaneously, Charley's in his left hand. Two shots roared out. The swinging doors split and a body rolled out and curled up on the boardwalk.

Wild Cat Cresty had played his last joke.

Sellers and Charley followed him out and stood there, guns still in their hands. Over across the street Bothwell and Howard, struggling with a second pair of prisoners, didn't notice. Charley looked down at the still body and a sneer crossed his hard, shifty face.

"Why don't you laugh?" he jeered down. "Go ahead—ain't it funny? Me—I'm dyin' a-laughin'. I'm hollerin' till my sides hurt. Haw-haw-haw!" he grunted savagely.

"I got a hunch how come it was that Tex Burnett got warned about the vigilantes and lit a shuck," Sellers said to him. "I got another hunch says he knows we were out to get him. Cresty. Cresty every time! He allus liked Tex. Tex was his friend. But, he won't play no more jokes on me."

"Haw-haw-haw!" Charley sneered down at the body again. "Why don't you go tell yore friend Burnett about *this?*"

Had Charley happened to look up toward where the two marshals were still pushing and fighting their four struggling prisoners, Three-Finger Charley would have found that was unnecessary.

Tex Burnett, leaning against a corner of the combination jail and marshal's office had witnessed it all.

Chapter Fifteen

MEANWHILE, after the killing of Newt Thurby four miles or so north of town, the two remaining road agents finished spurring their horses down over a ridge and out of sight. One of them looked back as they dropped from view, and jerked off his mask.

"Whew!" gasped Lance Haraway, spurring in alongside his companion. "Now the fat's in the fire for sure. You're in a tough spot, Bud."

"Me?" called back Bailey, his own mask also off. "Sure I'm in bad. I'm burnin' the breeze back before the stage gets there an' gettin' the rest of the boys. We'll all light a shuck."

"What do you mean by this 'we' business? I ain't got any reason to run. Newt didn't belong to *my* bunch. Nobody'll know I was in on it."

Bailey didn't answer. They topped another ridge and, hidden by the timber looked back. Lance Haraway began loading his empty pistol.

"He's stoppin' up there by Newt," Bailey announced, raising high in the stirrups. "Near's I can see, Newt is down an' down fer sure."

Now that pursusit had stopped they could blow their horses. Bud Bailey began to reload his own weapon.

"That was sure a fool thing for Newt to do—shooting old Hank outa the seat that way," Lance Haraway complained. "Wasn't no reason for it. The old man would have dropped his gun and put up his hands anyway."

"Maybe," growled the gunman. "But he was a' old timer an' most of them old devils are as salty as the bottom of the ocean. That was the only way to play it safe—bust 'em out without warnin'."

"Which," grunted the younger man sourly, "was why I was

so damn particular about coming along. My own old man was driving, you know," he reminded Bud sharply.

"Forget it! He'd been safe enough. After all, I work for Lily."

"Yeah," sneered the other. "And Newt with the itchy trigger finger works for *you.*"

They set off again, swinging east and finally hitting the main road back to town. At last they came to the section of flats which spread out among the trees a bit north and east of the main part of the town. Here the sand bed of the gulch, a roaring stream of brown water during rains, swung into a bend that gave plenty of room for cabins and tents.

The two men lost no time. They rode up and swung down, disappearing into the semi-darkness where three men lay sleeping. The place stank of stale tobacco smoke, sweaty clothes and saddle blankets, plain dirt.

"Get up!" snapped Bailey, shaking them hard. "Get out of there quick. Hell's busted loose."

They came out grumbling, still fully dressed except for their boots. The sleepiness disappeared in a flash as the gunman told them what had taken place.

"I knowed you oughta took me along to help get thet Gardner 'stead of Newt," a rough-looking man with a growth of sandy stubble grunted, tugging at his boots to pull them on. "Newt was too itchy trigger. An' all on account of that fool, we got to hit the breeze ag'in right when we're in the middle of the best thing we ever run into."

"Never mind," snapped back Bailey. "What's done's done. We're heading out fast. Rattle and get saddled. The minute that stage hits town it'll be swarming like a den of mad rattlers. Hurry it up while I get these bedrolls wrapped. Move! Give me a hand, Evergreen."

Lance Haraway had rolled a cigarette. Of the five of them he was the least excited.

"Thanks, Bud, but I'd better get over to town. Be better for me if I'm there when the stage comes in."

Bud Bailey straightened. It became quiet in the room. "So you think you can pull one like that, eh?" he grunted. "Go back to town and play the innocent little boy, huh? Wait until we're

gone and then talk loud about what dirty, murderin' holdups we was an' how we oughta be strung up."

His gun came out in a flash, covering the other. "Shuck 'em! Sandy, take his irons. And, Evergreen, you better hope we don't git caught either. Because if we do the town of Mule Gulch is goin' to know who killed that miner with Tex Burnett's gun."

"I guess you wouldn't have too much to lose at that," Lance Haraway replied slowly. "Because if they ever get you it'll be a rope."

Sandy had slipped away the belt gun and the one at Lance's thigh. He tossed them onto a bunk and followed the others who had slipped out the back door and were hurrying toward the small, makeshift corral where they kept their horses. Under Bailey's orders the younger man began rolling and tying the saddle bedrolls into small round bundles for convenient lashing back of the cantles. After a time the three men led their horses up to the back and slipped in for saddles. It was about then tha the knock came on the front door.

Bailey whirled, guns out in a flash. He nodded toward Lance "Who is it?" Lance called.

"Open up, son," came Jed Haraway's voice in reply. "It's me.

Bailey shot a look at his men. This was fast work. Jed must have just about run and galloped his horses all the way back to town.

Lance went to the door and opened it. His stepfather came in and looked about him, at the others.

"I was pretty sure I'd find you here," he said.

"Why?" demanded Lance. "I haven't done anything."

Jed Haraway sat down on a bunk and reached for his pipe. He took his time about replying. He reached for tobacco pouch.

"What's up?" demanded Bailey. "Let's have it."

"I haven't done anything," Lance Haraway repeated.

"It's no use, son," the freighter replied. "Denying it won't do any good. I recognized you in spite of the mask. You should have stayed out of sight in the brush."

"But I only went along to see nothin' happened to you," his stepson answered harshly. "I knew that Newt was itchy with a trigger finger an' that if anything happened to you Lil would hate me for the rest of her life."

"Maybe she will anyhow. I told her."

"You *told* her? You mean you—"

"Never mind," cut in Bailey, shifting the muzzle of his gun toward the older man. "I just want to get a few things straight. You told Lil, huh?"

Haraway nodded, pulling out a match.

"Anybody overhear you?"

"It was in her room upstairs."

"You tell anybody else?"

"Tex Burnett."

"The passengers overhear?"

"Nope."

"Just them two, eh? Lil and Burnett? You didn't say anything to anybody else after you got in town?"

Haraway shook his head. Bailey turned, grinning, and lowered the gun. "In that case," he said with satisfaction, "we got plenty of time. Nobody but Lil or Burnett could tell the miners who it was."

"That's right," the freighter nodded. He was thinking that Bailey was a pretty stupid man not to remember that the passengers, though not knowing the identity of the two escaped road agents, would certainly have overheard the name of the man who had been killed. He said, "But they'll find out. That's why I'm here."

He looked at his stepson. "Son, Lil sent me over. She wants you to get out of here fast. Where you go I don't know nor do I care; but get out. She swore she'd never see you lynched in this town."

"No reason why I should be," protested Lance Haraway. "I didn't kill old Hank. It was Newt. Even if people did find out I was there, they'd know it was only to see that nothin' happened to you."

The bearded freighter shook his head. "It's no use, son. The miners have gone mad. They're swarming around that stage like wild bumblebees. I saw a tent burning a little while ago. They're out for blood, and they won't forget that you've got two of their men notched on your guns. And while I'm at it, son, I might as well tell you the rest of it."

"What rest of it?" demanded Lance impatiently.

"That gun of Burnett's they found beside that dead miner Doolin," Jed replied. "It came out of Tex's carpet bag that was in my cabin. Only you and I knew the bag was there. I didn't know about the other gun."

"You saying I killed that man and robbed him to frame Burnett?" snarled Lance.

"Uh-huh. I don't know why. But you framed the man who might yet be the means of saving us all—at least Lily. Things have changed during the past few hours while you boys have been out busy waylaying a stagecoach to hold up a man who wasn't on it. Pearson is out to break Lil and seems to be using his vigilantes to help. I heard men who a week ago were borrowing money from her to gamble with and eating at her food counter on credit until pay day—I heard those same men cursing her for running a crooked outfit. I heard it as I went up the street to tell her you were in on the holdup. She's got nothing left now. Bud here and his gun packers are out. They'll be swung if they set foot in town again. I saw that shifty-eyed gang of tinhorns walking around on tiptoe, not knowing whether to run or just go change their clothes and put on unsoiled ones—they're that uneasy and scared."

"They always were a bunch of yellow-bellied cowards," cut in Lance. "Never saw a tinhorn gambler yet who had any guts."

Haraway eyed his son. "There were a few," he said quietly. "Burnett, for example, though he hardly comes in the category of a tinhorn. There were others like Hole-Card Pete and Sansone and one or two more who could take it when the going got rough, but that's neither here nor there. I'm down here trying to save your life because Lily will risk her own to see that you don't swing if they catch you. I don't care about losing you. Not because she's my own flesh and blood and you're not. It wouldn't have made any difference. But you were a killer first. Then you turned murderer. And topped it off by a road agent job where cold-blooded murder was done. I'm not angry at you, son. I'm just sorry. So I want you to get out for her sake. You owe her that much for all she's done for you. Even a back-shooting murderer wouldn't be low enough to let his sister risk her life for him. I want you to go."

It had been about the longest speech that Lance Haraway

had ever heard his bearded stepfather make. Jed held out his hand and Lance took it in silence.

"So long, Pap, and tell Lil I reckon I'm sorry." Jed nodded and went to the door. He opened it, stood there looking out among the trees and . . . slowly closed it once more. The shot that tore a raw gash in the doorway missed his head by four inches.

"They're coming," he said.

Chapter Sixteen

OVER IN THE office where Carriker, the day marshal, and Bothwell and Howard, the two night men, held sway during duty hours, Tex had made himself at home. He sat with his chair comfortably tipped back against the wall, his feet on the crude table that served as a desk.

Only two men were in the cells and one of these was snoring, probably a drunk brought in about daylight.

From somewhere outside came the sounds of approaching footsteps mingled with grunts, oaths, and a bit of struggling and scuffling. Tex got up and laid down the paper, crossing the room in swift strides until he was behind the door and thus protected from sight. He looked at the conscious prisoner and patted the gun at his hip in a significant manner. At his left hip he wore a second belt and sheath. This one was empty.

Six men fought through the doorway and into the room. Four of them were disheveled and just a little bloody. The two others—Bothwell and Howard—were tousled and panting. The green clubs were gripped in their left hands.

"Stand still and don't move," Bothwell ordered, and stepped back far enough to jerk his gun free. "Get those keys, Fred."

"Just yuh wait!" blustered one of the prisoners. "We're part of the vigilantes, an' when we git outa here it won't only be stage

robbers an' muggers who'll git what's comin' to 'em. Just yuh wait, mister!" He wiped his bloody nose.

"I got plenty of time," the phlegmatic Bothwell replied. "About thirty years yet—that is, unless I'm a simon-pure fool and stay on a job like this."

Howard, the younger, came over with the keys and unlocked the two empty cells. He helped Bothwell herd the four angry men inside, two to a cell, and turned, slamming shut the doors and clicking the big padlocks through chains.

"Well, that takes care of things for a few minutes," he grunted in relief, wiping at his face with a sleeve. "Just listen to that mob. If I stay on this job much longer, I'll get to be like you. I'll start drinking. Whew!"

"I'm goin' to rest five minutes if they tear up the town," grunted the heavy-set Bothwell. "My feet are killin' me. Up all night, then fightin' drunks an' looters an' burners all over the place. Let Carriker take care of that cowpunch who got killed in the Pheasant. I'm sittin' down."

He sank into the chair back of the desk, took off his hat, and wiped his sweaty face by running a hand over it. The hand was still on his chin when he paused, frozen, staring.

"Where did *you* come from?" he gasped out grunting. Howard had spun too, hand dropping to his gun.

"Don't try it, son," Tex Burnett said softly. "And he wasn't a cowpuncher. He was a gambler who posed as a down and outer. His name was Wild Cat Cresty. Deacon Sellers and Three-Finger Charley, two of his tinhorn friends, shot him in the back as he started out the Pheasant door. I saw them come out with their guns still in their hands. If you're so anxious to arrest a murderer, you've got two of them."

"We're not doing so badly," Howard cut in icily. He was young and he had nerve. He believed in his job. "Drop the gunbelt, Burnett. We'll take care of that later. You're under arrest."

"Son," was the quiet reply, "when you've been in this lawman's game as long as I have you get to be a bit careful about arresting a man who can throw a gun faster than you can. Don't make me prove it. I came in to prove something else."

"Yeah?" This from Bothwell. "What?"

"That I didn't kill that miner last night."

He moved closer to them, still wary. Howard was just young enough to try bucking a stacked deck. He was dangerous and Tex knew it.

"I suppose you'll be saying next that it wasn't your gun?" Howard asked quietly.

Tex shook his head. "It was my gun. Have you got it?"

"Yes," cut in a brittle voice from the doorway in back of him. "No, don't move, Burnett, or I'll blast you! Stand still!"

Tex turned slowly, careful to make no false move, cursing himself for not having kept his back clear of the doorway. Only one chance in a hundred would have brought Carriker back to the office at a time when the mob was going into action; Tex had been too sure of himself.

The day marshal came in. He had a big pistol in his right hand and a sullen-looking miner by the scruff of the neck with the other hand. Howard was laughing softly. "Yep, we've got your gun," he said, and beckoned to the prisoner.

At the same time he came forward from behind and slipped the .44 from Tex's sheath. "Sure, we got your gun—right here in my hand . . . son."

"Get over there against that cell," Carriker ordered, motioning with his gun. Bothwell had risen, his tired, sweaty feet forgotten. He reached into a drawer built below the table and brought out the weapon. Then he looked at the day man.

"He admitted it was his," he said in a tone of finality. Bothwell was a good marshal of the burly type; ideal for handling drunks and fighting men. But it was obvious he wasn't too long on head work. Carriker was.

"Anything you want to say before we lock you up?" he inquired. "Not that it'll do you any good."

"Quite a bit," Burnett replied quietly. "First, unload that right-hand gun you took off me and hand it back. I want to prove something."

The three marshals were looking at each other uncertainly. They also were looking at the two apparently identical guns. Bothwell glanced at Carriker, then toward Howard. Carriker nodded to Howard.

"Unload it," he said.

Howard stepped to the table and, one by one, punched out the

shells from the six chambers. There were only five. Burnett never carried a live cartridge beneath the hammer except in an emergency. Too many men had gotten a leg half shot off that way. Howard pulled his own gun and covered Tex as he cautiously handed over the empty weapon.

Tex took it and slid it into the sheath from which it had come. "You're sure I was wearing this one when I came in?" he asked.

"Of course," grunted Howard. "I took it off you, as we all saw. But no funny stuff, mister. One trick and I'll shoot you right through the belly."

Tex slid the heavy weapon back out of the sheath. He held it up and pointed to a bright spot on the *left* side of the muzzle. "See that? The bluing is rubbed off where it rubbed against my thigh. It's a *right-hand gun* and it's never been away from me since I arrived in town yesterday. Now give me the other one."

He tossed the gun to Bothwell, deftly caught the second, and slid it into the empty left-hand sheath, removed it again. The bright spot was on the *right-hand side* of the muzzle this time.

"This is a left-hand gun I've worn for years. It's the one found beside the body of the miner who was killed last night. The worn part of the barrel shows I've always worn it on the *left side,* and Pearson or Lily Owens or anybody else in town will tell you I haven't worn it while here."

Bothwell took off his big hat and scratched his head, his slow mind trying to assimilate the facts. Carriker was much faster.

"It's possible, Mister, but it don't prove a lot yet."

"Then perhaps this will," Tex replied, and his hand went to his left breast. He turned the shirt pocket inside out, revealing a bright badge with the words *Sheriff, Red Arrow County, Texas,* stamped into it.

"Maybe so," growled the uncertain Bothwell, shaking his bull head doggedly. "But it don't mean a thing. You could buy one of them things any place; a hull half dozen of them for every county in the country. We'll just go ahead an' lock you up an' send word down there. If it's true, we'll turn you loose an' apologize."

"Sure," grunted Tex. "When I'm six feet under. Listen to that mob down there. They've gone out of control. They're out for blood and likely as not any man in this jail will be hoisted up by a rope just for good measure."

"Don't talk like that!" cried out the man in the cell. "Let me outa here, Marshal! I can prove thet hoss I was ridin'—"

"Shut up!" Bothwell snapped at him. "I gotta think."

"Don't do it," snarled back the frightened prisoner. "It might bust yore skull!"

Carriker looked at Tex. "Suppose we get Pearson up here and see what he has to say?" he suggested.

"By all means."

"All right, Howard. Hit down there fast to the Pound and get Pearson. Don't let on we got this Burnett here. We wouldn't have a chance against that mob if they found out."

Howard stepped to the doorway, then turned. "You won't have to go after him," he announced. "He's comin' on the run. So is Lily Owens. Somethin's shore busted loose down there. The mob's breakin' up. There goes Curley with the stage to the wagon yard."

He came back in again and took down a double-barrelled shotgun off the wall. He snapped open the breech, noted the loads, took a handful of cartridges from an open box on a shelf, stuffed them into a pocket, and slung the gun over one arm.

"I'd better go down," he said.

Pearson put in an appearance, panting a little. He saw Tex and then spoke to Carriker.

"They've broken, Marshal. We'd hardly got Newt Thurby's body in plain view before some of them headed for Bailey's cabin."

Chapter Seventeen

CARRIKER STEPPED to the doorway and looked. It was true. Nearly two hundred men were moving, some at a trot. A shot broke out, high-pitched. A rifle. Then another and another.

They were followed by the heavier, booming roar of a six-shooter. Tex, looking over Howard's shoulder, saw Lily Owens. She flung a glance back toward the cabin visible about three hundred yards past the Golden Pheasant's north wall and came on faster.

"So you got Burnett here?" Harlan Pearson asked.

"He rode in and was waitin'," nodded Carriker. "Got the drop on Howard and Bothwell. I got it on him from behind. He says he's only wore one gun since he got in town an' this one used to kill Doolin was another one he had stowed away. You see him wearin' another?"

Pearson looked at Tex. The Pound owner was a changed man since the events of the night before. He knew that he had broken Lily Owens. He also knew that Lily Owens felt for Tex Burnett what she had never felt for him; and when she came into the room, a little breathless, her lovely face flushed, and ran to Tex, hot fires of jealousy and passion flamed through him.

"Tex!" she cried out, grasping him by the arm. "Tex, they're firing on Bud Bailey's cabin! Lance is in there and *Pap too!*"

"Let's get a few things straight around here," broke in Carriker. "We're going to take one at a time and clear 'em up. You first, Burnett. Pearson, was he only wearing one gun all the time you've seen him?"

"Yes," nodded the owner of the Pound. "He had it in his hand when he killed Massey over the table."

Carriker turned to Tex. "All right, but maybe you better do a little explainin' if this second pistol was stolen from you, then where was it at the time?"

This was the question Tex had been dreading. Only two men —Jed Haraway and his son Lance—could have known about the carpet bag containing the second pistol. And Jed certainly hadn't taken it. Tex looked at Lily Owens and hesitated.

It was Pearson who answered for him.

"He was staying at the cabin of Jed Haraway, the freighter. Haraway, in case you boys haven't already heard, is the father of Lily here and the stepfather of Evergreen, who was in on the holdup of the stage this morning and the murder of old Hank, the shotgun guard."

"How did you know that?" Lily cried out, her face turning white.

"About Lance, or Evergreen as he likes to be called, being in on the murder? Your floor manager had come upstairs to bring the money from the bar and overheard your own father tell you that he recognized your brother—his son—as one of the killers, Miss Owens." It had been some time since he had addressed her by any other name but Lil or Lily. "It seems he realized that you were going under, what with reports running riot about crooked games in your place. He was looking for a new job. So he hurried down to tell me and—ah—unfortunately for your brother some of the vigilantes hurried over for a look, saw your father running down there to warn the men who had held him up to clear out—"

"You devil!" she cried out furiously. "You mean, vindictive devil! Framing my father for doing something almost any father would do for a son. Making it appear that Pap was in with the holdup men. Bailey—"

"Bailey," he cut in bitingly, "was working for you as your head gunman to keep the town clear of men who displeased you. Your brother helped Bailey hold up the stage and kill an innocent man. Your father was driving that stage. So, men," he said to the three staring marshals, "it looks like it was all in the family."

"Looks that way," muttered Carriker. "But it still don't tell me who took that gun of Burnett's out of the cabin and shot Doolin —not that Burnett himself couldn't have done it."

"He possibly did," Pearson cut in. "He shot one of the gamblers in my place after a big game. He later turned down a job with me because I think he was, shall we say, slightly enamored of the lady's charms. It might have been to his or her advantage for him to cause trouble. He could have spread word of what was supposed to be a crooked game in my place and eventually wrecked it. Unfortunately for them both, it seems to have worked the other way around. It's Miss Owens' business that has been wrecked and Burnett caught in the backwash. As head of the vigilantes, I suggest that you hold him here in jail pending further investigation."

"That's the way I feel about it," Bothwell grunted. "I ain't impressed by the badge a-tall. But not many fellers wear two

worn guns like he's got. Only men like Bud Bailey an' that little murderin' sidewinder—beggin' yore pardon, Miss Owens—but I mean your brother. Come on, Burnett. In you go."

"Wait!" Lily Owens cried out. "You say you want facts? Then I'll give them to you. *It was my brother Lance who stole that gun out of my father's cabin and killed the miner Doolin! Burnett is innocent!*"

They looked at her white face; in the silence Tex walked over and picked up his guns from the table. He slipped loads from his belt and filled the cylinder—all six chambers this time. He replaced the five loads in the second gun, put in another from his cartridge belt, and sheathed the worn weapon.

"Thanks, Miss Owen. I like to return favors and I'll try to do so sometime. Right now I've one to return to Wild Cat Cresty for saving my life. It seems that Deacon Sellers and his crew agreed to shoot me in the back at the first opportunity and might have succeeded had it not been for Cresty."

"Sellers and his crew," cut in Pearson coldly as Tex reached the doorway, "had better be left alone. They're working for me now."

"That's true," nodded Lily Owens. "They quit this morning. It seems that Pearson here gave them the choice of switching over with him or being run out of town by the vigilantes. Such is the way the clever Mr. Pearson is using these miners—for his own personal gain. Be careful Tex."

The guns were still booming in the distance. Two horses, bridled but without saddles, had broken from the back of the cabin and trotted off with reins dragging. Two more saddle horses in front of the cabin, tied and unable to get away, were being methodically shot down by rifle and pistol fire. The vigilantes were taking no chances on Bailey and the others hemmed in the cabin making an escape.

Tex went out and around the corner to his black. In the act of swinging up, he felt a hand on his arm. He turned.

"Tex, walk downtown with me," she whispered. "I'm all alone and I'm frightened. Look down there. Pap and Lance under gunfire. And Pap innocent of any wrongdoing. Tex, do something! *Anything!* I can stand losing Lance. My eyes are open where

he is concerned. I instinctively knew it all along, but I was blind with ambition."

They were walking down the gentle declivity toward the Pheasant some two hundred yards or so away. He looked toward the besieged cabin again and his heart went out to her.

"Pap warned me," she said. "He said something about steel being tempered wrong and breaking easily when it was struck a hard blow. I've been hit hard, Tex, terribly hard."

"What are you going to do?" he asked.

"Go back to the Pheasant and wait," she answered wearily.

He racked the black in front of the big building and they went inside. Not a soul was in the place except Bessie, whose frightened face appeared through a crack in the upstairs door leading to their quarters. Even the bartender had succumbed to the excitement and gone with the mob. The liquor shelves back of the bar were nearly empty, evidence of what was to come. The miners were preparing themselves for the job ahead, should any of the men in the besieged cabin be taken alive.

Tex went behind the bar. He poured from a bottle; a big one for her, a small one for himself. "You need it, Miss Owens," he said.

"I wish you'd call me Lil or Lily," she answered. "And I do need this badly. One of the few times I've ever drunk whiskey. I hope I won't have to again."

She lifted the glass. They drank. She began to cough and he handed her another glass. She drank the water too.

Footsteps sounded and Tex looked up as the Deacon and Charley and Black Jack came in through the swinging doors.

"Just looking around," Deacon Sellers grinned, his eyes roving over the room with the two empty lookout chairs and one green-topped poker table overturned—either by accident or design.

"See anything special you like?" queried Tex.

"Quite a bit. So you got clear?"

"I saw something I didnt' like a little while ago."

"Nice things to have—a pair of good eyes," commented the Deacon.

"Mine were good enough to see from the corner of the jail down to here when Cres came through the door and fell face down on the sidewalk," Burnett answered slowly. His voice was

flat, expressionless; deadly. Both hands were below the bar now, his fingers curled around the smooth butts of the worn guns.

The Deacon cleared his throat. Charley stirred and was careful to scratch his chin with the little finger of the hand Tex had maimed fifteen or so years before. Black Jack pared his fingernails with a small jackknife, a ring similar to the one Deacon Sellers wore gleaming from a finger.

"You should have put up your guns before you came out," Tex went on in that flat, emotionless voice. "But you had to make sure. I'm making sure now. It's chips out because Cres told me of the two thousand pool for the one of you who put one through *my* back. I'm squaring accounts."

"Now wait a minute, Tex—" began Black Jack hoarsely.

"I'll have to clear the bar with my guns. There are three of you. Throw 'em!"

Two miners burst through the doors and by doing so averted tragedy. They came up to the bar, their guns clattering on top. "If you're the barkeep, give us a drink," one of them demanded pantingly. "We run out of cartridges an' had to come fer more. We got 'em ringed, their hosses down an' gone. We're goin' to close in an' me an' Joe here want in on the finish. Hurry it up. This is only the beginning'. The boys all say as how while they're makin' a cleanup it might as well be a good 'un! Everybody who ain't makin' a' honest livin' goes."

Tex set out the bottle and glasses. He used his left hand. His eyes were on the three tinhorns and there was a faint smile on his lips.

"That include the crooked tinhorn gamblers too?" he asked.

"I'll say!" answered one of them vehemently. "Them in particular. Every one we kin find."

"In that case," Tex Burnett laughed softly, "you've found three right here. Look them over, boys. Deacon Sellers. Three-Finger Charley. Black Jack Smith. Look 'em over."

The miners looked them over, quiet and narrow-eyed.

Charley sneered. "He's lyin'. Look *him* over. That's Tex Burnett who killed that miner Doolin last night—"

"And was proven innocent this morning," Lily Owens cut in. "He's also the man who stopped the stage holdup this morning by killing Newt Thurby, one of Bailey's men. The marshals have

cleared him. He didn't even have to bother about reminding them of his part in stopping the holdup. If it weren't for this man here Bailey and his men would still be free. Spread the word as you go. Most of the miners know it anyhow, but spread it again. And spread the word that Deacon Sellers, Three-Finger Charley, Black Jack Smith, Big Thumb Barton, Frenchy LeBleau, Tommy Ace-in-the-Hole—they're all crooked gamblers. They worked for me, fleecing you men. Yes, I admit it!" she cried out passionately. "It's true. We fleeced you!"

The three tinhorns looked at her, uneasiness spreading over their countenances.

"I remember playin' with you," one of the two miners said angrily to Charley. "I lost my Biggers check in thet game."

Tex began to laugh softly. He took his time about pulling one of his guns because the three were otherwise occupied. They had moved as though to go toward the door.

"Hold it, boys," Tex grinned. "Deacon, before you and Black Jack go, these two men would like a couple of souvenirs you're wearing on your fingers. Those mirror rings you use when you reach over to light a miner's cigarette and look at what's in his hand. These boys would probably like them."

"Go to blazes," rumbled Black Jack savagely.

"You can hand 'em over or get a gun barrel bent over your head and lose them anyhow." And to the two miners: "Take them, men. It's little enough pay for what they've taken from you."

The Deacon and Black Jack knew when they were beaten. They handed over the two mirror rings and then went toward the door. The miners examined the tiny mirrors, swore and hurried out.

"The old gang," Burnett said, "is breaking up. The last of the old time tinhorns."

He came from back of the bar. Lily still stood half gazing off into the distance. "You'd better go upstairs, Lily," he told her gently. "Just go upstairs and . . . wait."

"Thank you, Tex. Thank you very much. As you say, the old gang is breaking up," she answered in a low voice. "And as their leader, I'm breaking with them."

Chapter Eighteen

BY NOW THE entire population of the gulch, men, women, and frightened children, had come to the scene of the fight. Inside the shack all was a shambles. One of Bailey's men was dead, shot squarely through the throat as he tried to kill a besieger from a window. It had cost the lives of three men to get him. Their bodies were sprawled in grotesque postures some distance away. Two others were wounded.

Upjohn himself had been hit. He sat on the floor of the cabin, trying to bind up his bleeding shoulder and cursing because nobody bothered to help him. Lance Haraway had his guns back now and was using them.

The interior of the cabin reeked with acrid black powder-smoke. The windows had been shot out, one by a shotgun blast fired from around a big tree thirty yards away. The defenders were conserving their ammunition now, for it was running low. They bent low beneath the sills, gaping emptily and through which a continual stream of lead was drumming. Bullets tore through the plank walls, left great splintered gashes in the raw pine, went on through the opposite wall.

Of the five trapped men inside, only Jed Haraway was not using a gun. He had found a water basin, taken razor and scissors and soap from a crude shelf, and sat on the floor busily engaged first in clipping away his beard and then shaving.

"It's shore gittin' hot in here," Sandy grunted from the opposite corner, where he lay firing through a large knothole. "We oughta try to make a break fer it."

"How?" snarled back Bud Bailey. "In a balloon or somethin'?"

"A lot better than stayin' in here an' gittin' shot down like dogs. Ain't goin' to be long till the thick-headed fools finally git wise an' start shootin' low along the floor line. When they do we'll all git kilt plumb quick."

Jed Haraway looked up, his face a mass of soapy lather. "They're being very careful *not* to shoot that low, Sandy," he said calmly.

"Why?"

"For the reason that any vigilantes would shoot high. They want you for a rope."

"They'll never git me. I'll shoot my head off first. I'll save a last shell."

"That goes fer me too," groaned the wounded Upjohn. "No droppin' down fer Up. Hey, thet's a funny joke. Somebody is shore supposed to laugh at thet one."

Lance Haraway came over and squatted down beside the freighter, his face sweaty and a little dirty where he had been wiping it with his sleeve.

"Looks like cards out, Pap," he said.

"Looks that way, son."

"How come you're shaving off that beard all of a sudden?"

"Lily," Haraway answered. "She never would kiss me with it on. Swore she never would until I peeled it off. I sort of figure they'll let me give her one . . . for a good-bye."

"I never thought of it that way," the younger man replied.

Bailey twisted his head, glaring. "This is a heck of a time to be jawin' with your paw, Evergreen. Git back to that crack. We're takin' as many as we can before they git us."

They began shooting again and the fire from the outside increased in intensity. The walls, already sieved, were beginning to give. Four straight charges of buckshot fired from close range blew out a big knothole and ripped the plank in two. It sagged. Presently the firing ceased.

Pearson's shouts had gone up and down the line.

"Listen!" cried Bailey. "They've stopped."

"They want to talk," Haraway replied, and wiped his lathered razor on a piece of paper. His clean shaven face was a little heavy set and solid-looking, without any fat around the cheeks and throat. Whereas he had previously looked at least sixty-five, Jed Haraway now was revealed as a much younger-looking man in his mid-fifties. Lance Haraway stared at his father in surprise.

"I'll be all-fired, Pap—I'd never in the world have known you if we'da met on the street and you with different clothes on. It's

like—why, it's like meetin' a stranger. Lil's going to get the surprise of her life when she sees you without them whiskers."

"She'll still remember me as I was when her mother was with us. That is, the little time I spent home. I didn't wear a beard then."

"Come on back to that damned crack!" Bud Bailey roared at Lance. "Get ready to get them guns workin' again. We're already outa water an' the shells are 'most gone. Maybe we can make a deal with them," he added hopefully.

"Ha, ha," laughed Sandy at the wounded Upjohn. "It's your turn to laugh at that one, Up."

They waited, crouched and peering through cracks and knotholes.

"Bailey!" called Harlan Pearson's far-reaching voice. "Bailey!"

"What do you want?" Bud Bailey roared back.

"Come out with your hands up and surrender. Throw your guns out the window and give up. We'll give you a fair trial."

"With two or three dead men layin' out there?" yelled back the gunman. "A heck of a fair trial we'd git! If you want us, come in after us. We're not making rope meat today."

The north end of the building was the stoutest, and as the firing continued on past noon and into early afternoon five men began crawling toward the north end of the building. Back of them two men with double barrel shotguns methodically fired through the open window, one reloading while the second put a charge of shot through with methodical precision. It was death for anyone inside to raise his head to try for a return shot.

Four of the crawling men also bore shotguns. The fifth carried a two-gallon can of kerosene, the top of which had been cut out. The four, covered by the two further back, began a fusillade and, beneath it, the man with the kerosene ran forward. He came up alongside the north wall and began sloshing kerosene over the boards. He threw the last of the contents of the can beneath the floor, lit a match, then turned and sprinted for cover.

The flames began licking up. Smoke boiled past the open window, and the defenders knew it was the end.

Bailey tore open the window and leaped out, empty guns in his hands, hoping to get at somebody or make them shoot him down. But he had reckoned without the nerve and determination

of the honest working men of the gulch. As he plunged through, a pole struck both wrists and a gun barrel hit him over the head. He was yanked aside by a dozen rough hands and Sandy, out of ammunition too, followed. Strong hands grabbed him and pinioned his arms.

The vigilantes had them all.

The men were quickly bound and started toward town. Sandy limped along, complaining of his wrist bonds being too tight, until somebody jeeringly reminded him that he'd have a tighter rope on him pretty soon, only it wouldn't be that far down. It would be up around his neck. Upjohn had been fortunate enough to be handed a drink by a miner and could make his way alone. Lance Haraway was silent, a little pale. And people stared curiously at the newly shaven Jed Haraway, who had gone to warn the outlaws who had held up his stagecoach and killed his shotgun guard.

For Jed had been respected by those who knew him.

They passed the corner of the Golden Pheasant and two people came pushing their way through. One was a tall black-clad man who wore two guns: Burnett, who had foiled the holdup attempt and killed one of the gang now in custody. Tex Burnett, gambler of high caliber and deadliest man in the gulch with a six-shooter. The death of Massey, exaggerated with each telling, had proven it.

People fell back as Tex strode through. Lily Owens followed in the path he made. Men fell silent and a few women spat. She went up and, masking her surprise at the sight of her father's clean-shaven face, threw her arms around his neck.

"Pap," she whispered. "Oh, Pap, what have I done to you?"

"It's all right, Hon. Just the bad breaks."

The crowd was silent now, the bound prisoners watching. Jed Haraway looked into Tex Burnett's eyes.

"Hello, Tex," he smiled.

Tex looked back at him and smiled too. Memory again running back down a long trail. "Hello, Hole-Card," Tex said.

"What?" Lily Owens cried out. "What did he call you?"

"Hole-Card Pete, Hon. That used to be my name."

"I heard you and Tex mention—"

"Yes, Hon, and we haven't much time. Now you know why I

hated to see you in this business. It's why your mother left me when you were a pretty small tyke and took you with her. I was too busy following the pasteboards away from home to make one for you and her. It's why, when I finally did find you, I found more happiness in hard work and not letting Deacon and the old bunch here know."

She hugged him tight again, and somewhere among the crowd a man coughed nervously. "Oh, Pap, Pap!" she whispered. "If only I'd done things your way and not mine."

"Let's get going," one of the deputy vigilantes cut in not unkindly. "The committee'll be forming right soon, I reckon."

They moved on toward the jail. Half of the crowd pushed on down the street to refresh themselves after the long ordeal. None went into the Pheasant. A look in over the open, swinging doors was sufficient. The Pheasant was still deserted.

But in front of it stood two men. Gardner the gambler, immaculate as ever, his chiseled features expressionless.

The other man was Pearson.

Chapter Nineteen

"LIL, COULD I speak with you a moment?" Harlan Pearson asked, stopping them.

"About what?"

"It's personal. Shall we go inside?"

"If you wish," she answered, and led the way through the swinging doors.

They walked across the floor of the deserted gaming room and bar, and she went in back of it, setting out a brandy for him.

"Thank you," he smiled. He was formally polite, and yet she sensed with a woman's intuition that he didn't wish to be formal.

"Aren't you drinking with me?" he asked.

She shook her head. "Not with an enemy. Pap warned me, Harlan, but I wouldn't listen. I was the woman who knew it all. The woman who was going to beat men at their own game. The drink would taste bitter."

"I'm sorry about Jed," he said, and meant it. "I really am. You see, when your father sent that miner on ahead as fast as he could ride to break the news of the holdup and that Newt was dead, some of the boys went on down to Bailey's cabin on their own. Naturally none of us dreamed that your brother was one of the road agents. Had I known—had you come to me and told me that Jed had gone down there to warn Lance, I'd have stalled them off long enough to let the men get away."

"Why?" she challenged him.

"You ought to know, Lil. For your sake. Just as now I'll do anything in the world I possibly can to aid you. I think that much of you."

"That one," she laughed bitterly, "calls for a small brandy." She poured into a pony glass and lifted it. "To our friendship and the affection you hold for me."

He felt the bitterness in her words; they stung him to the quick. But she was still a beautiful woman over whom he had proven his mastery, and he still wanted her.

"What are you going to do after it's all over?" he asked her, low-voiced.

Three of the vigilantes came in, but Pearson turned and waved them out once more. Noise came from the street: the tramp of feet, loud voices, the muffled sounds of a horse galloping through the soft dirt. Somewhere outside a man whooped loudly, and laughter followed.

She put down the barely tasted liquor. "I don't know," she answered truthfully. "I could stay here and fight it out. A few weeks and this terrible thing will be forgotten. Men who hate me today and say I'm running crooked wheels and dice tables will soon begin to remember I'm also a woman, all alone now, and will become sympathetic. They'll also get wise to the fact that the Deacon and his crew are working for you, and in no time I'll have my business back where it was yesterday."

He knew that was true, every word of it. It was something that had not occurred to him before. But he shook his head.

"You're still a woman in a man's game," he reminded her.

"Then what am I supposed to do?"

She knew he had been working up to something, and she was the kind of a woman who liked to get to the point. He put down the empty glass and looked across the bar at her.

"Come in with me, Lil," he said softly. "You and I, with Gardner running things for us. As you say, this thing will soon blow over. It's been a terrible thing for you, that I fully realize. But time will take care of that, and I can help time to make you forget. We could even leave Gardner in charge of both places and go away for a while. Take a long trip."

"But not as Mr. and Mrs. Harlan Pearson," she mused. "No, thank you."

"I suppose," he cut back at her icily, "that if Tex Burnett had made the offer you'd have been quick enough to accept?"

"He doesn't have to make it," she came back at him in an even voice. "I'm his any time he wants me. I've learned during the past twenty-four hours that education and culture don't make a gentleman. You've proven that. I've found out that a beard covering a man's face and dirty clothes on his body don't make an ignorant, uncouth man. Some of these miners we fleeced, and Tex Burnett in particular, are examples of that. So you'd better go now, Harlan. Back to your committee. Get it over with as quickly as possible, because those prisoners, no matter how guilty, are going through the agony of waiting for what can be only one verdict. Go now! Get out of here, you cheap, vindictive, rotten devil!"

Chapter Twenty

OUTSIDE, Tex and Gardner had been talking. Tex had said, "So you didn't go out on the stage? Decided to ignore the ultimatum?"

"Yes," was the clipped reply. "Do you propose to do anything further about it?"

"I left the matter up to Lily Owens," Tex had answered curtly. "And conditions have changed. That was a lucky break for you, Gardner."

"Why?"

"Because when I say something I mean it. When I make a promise I keep it. You'd have left this town had it been necessary to beat you down with a gun barrel and then drag you out. Make no mistake about that."

"Then perhaps I was most fortunate," Gardner replied cynically.

Pearson came out, obviously agitated from some inner emotion. His face was a little flushed. He strode down the street without a word and Tex watched him go. Gardner found it expedient to move on. Tex went inside. Lily Owens was crying, her head bowed over the bar.

"As bad as all that?" he asked.

She nodded and got control of herself.

"Just my nerves letting go since this thing happened. I'm going upstairs and finish up the job in good style. Then I'll be all right."

"Might be a good idea. I think I'll go over and try to see Jed."

"Do that," she whispered, and walked around the end of the bar. She came up close and raised her face to look at him. "Save him, Tex. I've never asked anything of any living man. I've never given anything to any living man. But I'm asking something of you now. Save him, Tex."

She reached up with both hands, and before he was aware of what had happened she had kissed him squarely on the lips. She turned and went up the stairs swiftly. The door of her room closed. He was alone in the Pheasant.

He went out and swung up aboard the black, aware of the curious stares at the right hand lying close to the gun at his right thigh. He saw the crowd gathered around the front of the Pound, Biggers' big figure pushing through, and knew that the miners' court was about to go into session. Tex gigged the black up the slope toward the jail some two hundred yards away.

Four miners armed with rifles and shotguns were standing

evenly spaced in front of the edifice. Two more were out back. Two others did duty inside, watching the prisoners. The vigilantes were taking no chances of a rescue attempt or an escape.

Tex swung down, trailing the black gelding's reins; a big miner blocked his path.

"Keep goin', mister," he barked. "Nobody but vigilantes allowed here. No visitors. Git!"

"I'm the man who got Newt Thurby and caused these same men to be captured," Tex grunted impatiently. "Why in Hades would I want to rescue them?"

"Don't know. Don't care. Nobody sees 'em. Git, I said!"

He swung the barrel around menacingly but Tex already was in reach of it. Tex's spurred right boot went out and hooked back of the man's left leg. He shoved hard on the shotgun barrel. The miner went over backwards and hit the ground with a thud. That could have caused trouble—trouble that Tex stood poised to take care of with a double draw that would cover them all. But it wasn't necessary. The look of foolish surprise on the downed man's face brought guffaws from the others.

One of the others looked at Tex. "What you want to see 'em about?" he asked, respect in his eyes for this quiet-eyed man with the platinum hair.

"I don't want to see them all," Tex replied. "Just Jed. He's pretty sure what the verdict will be—"

"He dawg-gawned sure ought to figger *thet* one out," cut in one of the others. "Man'd have to be purty dumb not to."

"Jed isn't. But he has some property to be disposed of. His freight wagon and team and the contents of his cabin. Miss Owens wishes me to take care of it."

The guards exchanged looks with the two who stood in the doorway. One of them nodded to Tex. "All right, Burnett. We know it was you got that Newt feller with a rifle, so I reckon the vigilantes owes you that much. Come on in."

Tex entered the marshal's office. Somebody had said they were at home, under guard of more miners.

All the previous prisoners had been turned out to make room for the five men who already were as good as doomed. Upjohn lay on a bunk in the south end, motionless so as to keep down the pain in his wounded shoulder. One of the guards had brought

him a pint of whiskey and he had drunk most of it. Next to him the big uncouth Sandy, a very frightened man now, kept mumbling to himself. Bud Bailey stared through the bars, Lance Haraway's pale face beside him.

In the last cell on the north end of the jail Jed Haraway sat and calmly smoked his pipe.

"Could I go in?" Tex asked, dropping his hands to the buckles of his gunbelts. "I'm not going to slip him a gun."

"Why, I reckon so, Burnett," one of the guards replied. "A feller in his kind of pickle oughta have a few last favors. I shore hate it about Jed. He give me a lift on his wagonload of lumber the day I come into this camp on foot, walkin' twelve mile because I didn't have money to ride the stagecoach. Shore, go on in. Leave yore gunbelts there on the table."

Tex unslung the two belts and laid them aside. The guard unlocked the padlock. Jed had stood up at the sound of Tex's voice. He stepped aside as Burnett entered and shook hands.

"How are you, Jed?" Tex asked, smiling. "Or perhaps I shouldn't ask."

"No reason why not," the ex-tinhorn smiled back. Sit down. Not very good accommodations I have to offer, but you'll have to make out. How's Lily taking it?"

"About like you'd expect."

"She's a thoroughbred. I never intended for her to find out about my past. That's why I grew the beard. I had a hunch that in a boom camp of this kind, sooner or later some of the old bunch would show up. I certainly never expected to see them all."

"It was something of a surprise," Tex admitted. "But not any more than when I saw you clean-shaven. I thought that first day there was something vaguely familiar about you, Jed, but I couldn't place it on account of that mat of buckbrush. But you recognized me, eh?"

"Right from the beginning. Came within a hair of making myself known but thought better of it. It was like manna from heaven, seeing you after all these years when you'd disappeared and I'd let it get out that I'd been shot. That was why I invited you down. How are things in town?"

"The committee is going in session about now, I think." He

went on to tell the freighter all that had taken place. Haraway sat smoking and listening, his eyes on the other's face.

"When do you reckon they'll hang us?"

He was calm about it, and so Tex spared him not at all. "Sometime this afternoon, I imagine. I saw some men over looking at the rafters in that new store building going up just across the street from Pearson's place. They're about twenty feet above the ground. And for the sake of all you boys, Jed, I hope they do a quick, thorough job of it."

"For Lil's and Lance's sake, so do I."

"How's he taking it?"

"Lance? I don't know. The walls between the cells are made of two-by-eight inch boards and it's hard to talk. They won't let us anyhow. But he's been cursing them by turns, probably to relieve fear. They've promised us plenty of whiskey just before the show. That will help them. I won't need it. I've been no angel in my time, but I've tried pretty hard to make up for it these last years by hard work and honesty toward all men, and I don't want to meet my Maker with a load of boom camp rotgut whiskey on my breath."

One of the guards came up and looked through the bars "Better hurry it up, Mr. Burnett," he suggested. "Somebody's liable to be comin' up this way for the prisoners any minute and it'd be better if Pearson and the others didn't find out about this visit."

"Thanks," Tex said. "We're about through." He turned to Jed again. "If you want me to I'll go down and dispose of your outfit to some buyer and give the money to Lily. How much do you want for it? What about the stuff in your cabin?"

Haraway told him the price he could get for the team and wagon and said to do anything at all with his belongings because, "Where I'm going, Tex, I won't need them."

Tex rose and shook hands.

Chapter Twenty-one

TEX JOGGED the black past the north end of the Pheasant, his eyes unconsciously going to the corner window where a woman was waiting, her heart being torn to pieces a pinch at a time. He noted the back steps going up to a private entrance and saw a grizzled freighter descending. The freighter was one of those who had worked with Jed. Tex rode on toward the wagon yard and swung down inside close by a big shed. Lindsay and his men were about fifty yards behind, following him.

Curley had unhitched the stagecoach four and hurried back to the Pound. The coach looked deserted; red smears were still evident on the floor where two dead men had lain.

A group of other freighters stood around, solemn, talking in low voices.

"Howdy," Tex greeted them.

They nodded, looking him over. The chug of the mining machinery was stilled now. There was no sound in the gulch except that buzz of voices over in the street where the miners' court was going into drumhead session.

"I just come from the jail," Burnett said. "Talked with Jed."

"How is he?" one asked.

"Cool. He won't be afraid. Asked me to come over and dispose of his wagon and team. Any of you fellows want to buy the outfit?" And he named the price.

They shuffled their feet and looked at one another. A grizzled man with a gray beard spoke up. "Too bad about Jed, I reckon. We'd like to buy his outfit all right, mister, but we ain't got the money."

"Got a couple of good saddle horses handy?"

They looked at him sharply. "You a friend of his, hey?"

Tex nodded. "From the old days when he was a tinhorn gam-

bler, along with the rest of us. And all of you?" he asked curtly.

"Yep."

"Then get me two good saddle horses with saddles quick and the outfit's yours."

"Only saddle horses here, mister, is about five good-blooded ones in Pearson's private string. He's crazy about good horses. Rides around every mornin' an' afternoon. Thet gentleman stuff."

"Get them," Tex ordered curtly.

"You figgerin' on tryin' to get him free?"

Tex eyed him levelly, his cobalt orbs devoid of expression. "Will you help?"

"If you mean buck thet mob with guns, nosirree! Any other way I reckon you can depend on us. Thet right, boys?"

"Then get those horses. Have them saddled and waiting back of the Pheasant where the stairs go up along the wall to Miss Owens' quarters. Don't tie them. One of you hold them and be ready to duck out of sight. The rest of it is easy." And he went on to explain.

Lindsay and his men rode up and swung down. He shook hands with Tex and handed over a few of the coins.

"News shore travels fast in this man's country," he grinned. "We heard it an' moved faster. We even got fresh hosses an' shore made thet twelve miles back here with the breeze bustin' us in the face. Met a feller up the road a few minutes ago. He told us what's happened."

"Good," grunted Tex, and told them what was planned. He introduced the riders to the freighters.

"Why, shore," chuckled Lindsay delightedly. "Nothin' to it. This shore pleases us boys. Them miners run us outa town when they didn't have any reason to except we wuz broke. Now we square up with 'em by takin' away a prisoner an' one who's not done nuthin'. We're with you, Burnett."

"All right, I'm going—"

The freighter who had come down the back stairs of the Pheasant walked over and nodded to the others, "I give it to her," he said. "Cleaned and loaded full of shells. It's plenty good fer the two hundred yards from the Pheasant to where they'll have 'em lined up under the rafters. She's goin' to shoot from upstairs so's to miss the crowd."

Tex Burnett had wheeled on the man. "What are you talkin' about?" he rapped out.

"Lily Owens said her brother wasn't goin' to hang, and my old .44-40 at two hundred yards or less says she's right!"

"I see," Burnett answered slowly, and went to the black. He swung up and looked down at the others. "Spread out among the crowd but stay close to the Pheasant," he ordered. "Watch me. Don't let me out of your sight. When I pull out my handkerchief and take off my hat and mop my forehead, start the fireworks rolling."

He rode off, out through the gate and toward the back stairs of the Pheasant. He went up and knocked and it was Lily herself who opened the door. He removed his hat and went in. She closed it and came back, calm, clear-eyed, determined.

One thing about this woman, he thought. She's going through fire and she's coming out tempered steel.

Chapter Twenty-two

AS FOR Pearson, his appearance down at the Pound was the signal for the miners' drumhead court to get into session.

Pearson shouldered his way into the gaming room, which was packed with a solid mass of men standing shoulder to shoulder. Outside on the boardwalk and in the street fully a hundred more clamored to get in. They had begun to shout, and Pearson looked at Biggers.

"They're yelling for us to hold it out in the street where they all can hear," the mining operator yelled at Pearson to make himself heard above the uproar. "And we'd better do it or some of them might take a notion to lynch while we're holding trial."

"All right. Then it's outside." He leaped to the top of a table and held up his hands. "Outside!" he shouted. "Court will be

held outside. Everybody out. Clear the room. Out in the street—everybody out! There'll be no court until you clear this room."

It took fifteen minutes to get them out. Several men brought tables and chairs, and while this was going on Deacon Sellers slipped up to Pearson. The others too came over and crowded around.

"Well?" snapped Harlan Pearson. "Don't be so nervous. I'm in the saddle here and I'll protect you."

"Maybe," Deacon Sellers grunted back. "You don't know Burnett. Know what he done?"

"I'm not a mind reader! Get to the point, man," impatiently.

Sellers held up his hand. It was brown except for a light band of white skin on one of the fingers.

"Burnett," he gritted. "Took 'em off me and Black Jack and gave 'em to two miners. Told 'em our names and who and what we are. Told 'em to spread the word and, by Jupiter, they spread it! Next thing the other boys knowed half drunk miners began comin' up and yankin' the rings off the rest of us. They've been jostlin' and shovin' us around all day. Mean-looking."

Charley pointed to a slightly swollen ear. "Look what one of them did to me," he grunted angrily. "With his fist. Fer good luck, he said."

Tommy Ace-in-the-Hole's pudgy figure revealed a missing button where a man had grasped his shirt front and jerked.

"I don't like it," Deacon Sellers went on. "This crowd is in an ugly mood."

"I know," nodded Pearson shortly. "They'll be that way until we've got five men swinging from the rafters of that new building across the street. That will quiet them down. So keep in the background. Don't do anything to incite anger on the part of any of the men. We're going to do this thing in a hurry—one of the quickest drumheads in history. Now clear out and keep an eye out for Burnett. If there's any chance to get him, do so. A shot from the crowd—from one of the buildings. But get him if you can."

He went on out, paper and pencil in one hand. Sight of it brought the murmur of the crowd to a lower pitch that gradually died out as Pearson took seat beside Biggers. The mining man chewed hard on a cigar and looked nervous. Finally he rose to

his feet, stepping up on a store goods box that had been provided. He held up his hands for silence, got it, and faced three hundred grim faces.

"Men," he called out in a far-reaching, clear voice, cigar stub between two fingers of his left hand, "there isn't any reason I should waste time telling you why we're here. You know all too well, and I know that you dread this grim business as much as I do. In reality we have no legal right to judge the men now under guard in the jail and charged with certain crimes against the people of this camp."

"The heck we haven't!" roared back a voice from the crowd. It was taken up, grew in volume, and began to swell into thunder. Biggers held up both hands to get them quieted down, and the immaculate, poker-faced Gardner bent down over Pearson's shoulder.

"I forgot to tell you, Harlan," he said smoothly. "While the crowd was busy getting them out of the cabin, I did a few things in the Pheasant. The dice there have been changed for similar ones, most of which throw six-ace and five-deuce flats. The roulette wheels are not level now. Somebody generously left the big cabinet on the wall where she keeps her supply of new decks unlocked. I put half of them on a lower shelf and pinned a small white card on it, printed with the words, *Marked. For Black Jack and Faro dealers only.* Turn the crowd loose on it at the proper time. You might as well make the job of breaking her complete."

Pearson nodded without looking up.

Biggers had the crowd quiet again. He went on:

"This is a terrible decision that we must make this afternoon, men. Don't let the anger and indignation of the moment sway your minds and cause you to do something that might haunt you afterwards. The evidence might—and I said *might!*—indicate that these men are guilty of the charges to be made. But there is always the possibility that in spite of the circumstantial evidence, a man might be innocent. It has been proven—"

He had to break off in the face of the coarse, jeering, sardonic laughter. Men slapped each other on the back and hooted.

"Hey, Biggers!" a little wizened miner shouted in a voice not

in keeping with his size. "Are you lawyerin' fer these killers so's to git 'em free an' put 'em to work in yore mine?"

It took five minutes to silence the laughter after that one. But Biggers was patient. He got them quiet once more and continued to talk.

"The point I'm trying to get over to you men is this:" he shouted. "Wouldn't it be better to hold these men prisoners and send word to the outside and have a regular court come in here and convene to take testimony and punish by due process of the law any of those who might be found guilty?"

They roared back at him that they didn't give a hoot about legal hangings. Two men lay stretched out dead in a building close by. One had been murdered without a chance for his life. The man who had killed him belonged to the gang now in jail. Two sweaty horses, shot down at the cabin, already had been identified by the three passengers as the ones ridden by the road agents. What was all this fool talk about how they *might* be guilty? Get the drumhead in session and then string 'em up!

Biggers looked down at Pearson. The Pound owner shrugged his wiry shoulders.

"All right—all right!" bellowed Biggers. "You've made your decision, so we'll elect a judge and get under way. And I warn you now I don't want the job."

They started the process of electing a judge, and Pearson displayed his cleverness. The choice was a surprising one: Gardner the gambler was to preside. The owner of a big tent bar across the street agreed to act as prosecuting attorney. And a wizened little man working his own pit who said he'd once done some preaching volunteered to make the defense.

There was to be no jury.

Presently the five prisoners, hands manacled behind their backs, were brought over along the boardwalk, ringed by heavily armed guards. They stood side by side on the big packing case where Biggers had stood, their backs against the Pound's west wall, facing their accusers.

Gardner displayed surprising facility in getting the proceedings under way. He ordered the three passengers who had been on the coach brought forward for examination, correcting the blundering attempts at questioning by both prosecutor and de-

fense "attorney." Pearson sat at a table as court clerk, taking the proceedings down in longhand, scribbling rapidly. When word was sent out to bring in Tex Burnett, he signaled to the Deacon and the others, who melted toward various vantage points. But Burnett was not to be found.

Gardner turned to the prisoners. "Would any of you men care to take the witness stand in your own defense?" he asked curtly.

A man coughed. Here and there heads poked and dodged to get a better view. Sandy shuffled his feet nervously and licked his lips, looking down at the boardwalk.

"What good would it do?" he finally blurted out in a choked voice. "You've already got yore minds made up to hang us without a fair trial."

"You're being allowed a fair trial," was the curt rejoinder. "All of you refused to plead, so the plea was Not Guilty. You're now being allowed the opportunity to come forward and prove your innocence in the face of the charges, which are suspicion of attempted armed holdup and robbery of a stagecoach and its passengers—or one passenger in particular whom you thought to be on that stage carrying a large sum of money—and also suspicion of complicity in the murder of the guard who rode the coach to protect the driver and those same passengers. Do you wish to testify?"

But Sandy mutely shook his head.

"Upjohn?"

"No. 'Twouldn't do no good, I reckon."

"Lance Haraway?"

"Go to hell!" snarled the prisoner. They had been feeding him whiskey and his nerve was back.

"Bud Bailey?"

"I'll have the door of the hot place open for you when you get there and a red hot pitchfork in both hands," Bailey flung back.

"Jed Haraway?"

"Yes," came the answer quite calmly, "I'll be glad to testify, though I wish these handcuffs were off so's I could light my pipe. I believe that it is customary for a condemned man to be granted a last favor, and that's the favor I'm asking. You see,"

he smiled at Gardner, "I can sort of talk better when I'm smoking."

Gardner looked at Carriker, the day marshal. He and the others had been released on promise not to try stopping or interfering with the proceedings. "Remove the prisoner's handcuffs," the gambler ordered.

Jed Haraway rubbed his wrists as the shackles fell free and then stepped down. He took pipe and tobacco pouch from his pocket and tamped in the tobacco as he stepped onto a box and thence to the top of the gaming table serving as witness stand. It put him head and shoulders above the hushed crowd.

"I spent fifteen years as a crooked tinhorn gambler of the variety now infesting that camp," he stated in a matter of fact voice, and then lit his pipe. The blue smoke roiled up around his clean-shaven face. "Some of the old bunch who used to run together are still here. Some are not. A few got killed by men who had sharp eyes and a fast draw. One named Sansome got hung down in Arizona Territory one evening when he stopped in at a small horse camp and found out too late, when a party of ranchers rode up, that they were horse thieves. Reports said that he was quite game when they put air under his feet."

He paused to puff a bit and wait for the laughter to die down. "Then I heard that my daughter, Lily Owens, that I hadn't seen in many years, was here in Mule Gulch. By then I long since had given up the pasteboards and was pretty contented just working for an honest living."

The laughter this time was a little cynical, almost bitter. Jed ignored it and continued.

"I also found my stepson by a second marriage, Lance Haraway here, known to the people of this camp as 'Evergreen.' I hardly approved of either the business my daughter was engaged in or the company my stepson was keeping and the life he was living. I particularly didn't approve of the crooked tinhorns of the old bunch and their methods of fleecing the miners. Their names are Deacon Sellers, standing over there in the doorway across the street"—the Deacon hurriedly disappeared at the craning of necks—"Tommy Ace-in-the-Hole, Black Jack Smith—there he goes in a hurry—Three-Finger Charley, the man with a thumb and index finger shot away by Tex Burnett fifteen years

ago over a crooked deal Charley didn't get by with. Then there's Big Thumb Barton and Frenchy LeBleau. Frenchy limps because he too was a little slow on a crooked deal. There was another named Wild Cat Cresty, the 'cowpuncher' who was shot earlier today in the Pheasant and fell on the boardwalk. He was shot in the back by the Deacon and Three-Finger Charley, his one-time boon companions in crooked deals. I might add that these men, who formerly worked for my daughter, Lily Owens, are now employed by Harlan Pearson for the same reason as just stated: to fleece you miners in the Pound. . . ."

The rumble had begun, an electric shock of excitement going through it. Gardner, shooting a lightning glance at Pearson, began pounding the table with the bung starter used in lieu of a gavel.

"Order!" he called out. "Order in this court!" He turned to the prisoner. "It's quite obvious that in the face of the evidence against you you are using this court and the opportunity to defend yourself as a means of settling personal grudges against real or supposed enemies. You're excused from the witness stand."

Chapter Twenty-three

THE LITTLE itinerant preacher acting for the defense leaped to his feet.

"I objek!" he yelled, thereby using the only legal expression in his vocabulary. "I objek!"

"Objection overruled," Gardner stated curtly "The witness will leave the stand."

But the little "lawyer" wasn't through. He wheeled and faced the crowd. "What about it, men? This witness an' dee-fendant was invited up here to tell his story, which is testifyin'. He's got the right to say anything he wants if he thinks it'll help his case.

Furthermore, he's tellin' you men somethin' thet is of partickler in'trest to all of us. What about it? Does he git to go on talkin'?"

"Let him go!" came in a bellow from a dozen voices as one. Men who had been sitting down cross-legged in the street now rose to their feet. Gardner, aware for the first time that things were getting out of control and had started backfiring at Pearson and himself, looked at the Pound owner. He gave in with ill grace. It was obvious that both men now were worried.

"Very well," the "judge" ordered, after rapping with the bung starter. "The court reverses its decision. The witness will continue."

"Thanks," Jed said dryly, and relit the pipe which had gone out. "As I was saying, that was the setup here, nor am I making any excuses for my daughter. She ran the business the way she wanted to, just as Harlan Pearson, the man who's out to break her, now plans to run his. Then came this business today. The regular stage driver, Bingham, was sick yesterday and asked me to take his run twelve miles north and return. A certain man was expected to be aboard—the 'judge' in this case, Gardner—carrying a large sum of money. Four miles north of town three men, all wearing bandanas over their faces, stopped the stage and shot the guard without warning. I hauled up and lifted my hands with the lines in them. One of the bandits came forward to look into the coach. I recognized him by his clothes, his horse, his build, and in spite of his attempt to disguise his voice I recognized that too. It was Bud Bailey, the man—"

"Why, you dirty old son!" Bailey roared from where he stood shackled. "If I could get off—"

More rapping. It took five minutes to get order again. Jed went on calmly.

"There was another man back of him, the one who was killed in the attempted getaway, whom I thought I recognized as Newt Thurby, one of Bailey's men, but I wasn't sure until after Tex Burnett dropped him with a rifle. The third man stayed back in the buckbrush, only his head and shoulders visible, but there could be little doubt of his identity too. It was my stepson, Lance Haraway, one of the defendants now on trial."

A murmur went through the tense crowd. Not a man stirred now. Pearson had a look of plain astonishment on his face. Lance

Haraway stared fixedly down at his feet. Bailey's lips were thinned, his teeth bared in sheer helpless, murderous fury.

"So that's about all there is to it, I guess," Jed said. "That was my so-called part in the holdup. Evidence will show that Bingham actually was sick when he got in from the run about noon yesterday. He sent word to me to come to his cabin, where he's still in bed. I had not seen the gambler Gardner up to that time. I had no way of knowing he was a gambler or had a large sum of money on his person. You might say in rebuttal that I could have got together with the boys and framed things last night after Bailey was supposed to have ordered the gambler Gardner out of town. I reply that I didn't talk with Bailey at all. I haven't spoken to him for two days. I drove the stage to help a friend who was sick. My son swears he went along on the holdup only to make sure that nothing happened to me like what happened to the shotgun guard. I don't say that I believe or don't believe him. But when we started back and met a group of vigilante miners who had just driven a number of down and out cowpunchers from town, I sent one on ahead on a fast horse to break the news. I knew it meant my son's death if these men were caught. After I arrived here my daughter begged me to go warn Lance to get out of town. I did so for her sake and because a good many other fathers would have done the same thing. I make no excuses for my actions."

"Then you admit in front of this court that you went to warn men you knew were cold-blooded murderers and road agents—"

"I do," Haraway said with that same calmness he had displayed all through the ordeal. "I went not as an accomplice but as a father warning his son. I was in the cabin when it was surrounded. I took no part in its defense. I didn't fire a single shot at the vigilantes—"

"That's a lie!" Bud Bailey yelled furiously. "He was shootin' all the time—"

"Shut up," cut in Lance Haraway. "He's telling the truth. What about it, Sandy?"

"That's right," mumbled Sandy. "Jed sat on the floor and shaved. He'd told his son he was sorry about him being in on the holdup and said for him to go away and not come back."

Haraway stepped down from the stand. He had made a

tremendous impression on the crowd by his calmness, his honesty, his frankness. Pearson and Gardner knew their own reputations in town had been badly scarred. They were in a spot about the Deacon and his crew. But none of it showed in the "judge's" mien as Jed went back and took his place with the others. He was still smoking his pipe, and for some reason Carriker did not replace the handcuffs.

The "prosecutor" rose and addressed Gardner. "Yer Honor, as the prosecutor in this yer case I ain't botherin' to keep it goin' any further. I heard all the evidence I need to show me they're guilty as sin, with the exception of Haraway. He told a purty danged straight story. Thet's all."

He sat down and Gardner said, "The prosecution rests."

He looked over at the ex-preacher. The defense said, "The defense is plumb tired out, so I reckon I'll rest too."

Gardner rapped three times with his bung starter. He looked out over the small sea of tense, silent faces.

"If there is any man here in this crowd who doesn't believe that these men have had a fair trial, now is the time for him to speak up."

Nobody stirred.

"If there is any man here in this crowd who does not wish to abide by the decision of this drumhead court, now is the time to speak up."

Again dead silence.

Gardner bent and extended a hand to Pearson for a sheet of paper. He took it and looked at the names listed there: five of them. He turned to the prisoners.

"I shan't ask you to stand up because you're already standing. Is there anything any of you wish to say before the court renders its decision?"

None of the five spoke. They stood immobile as statues carved in bas-relief against the wall.

"Very well. According to the evidence presented in this case, the court renders the following decisions: Bud Bailey, charged with banditry and murder: Guilty. To be hanged by the neck until dead, and may God have mercy on your soul."

He glanced at the paper again. "Lance Haraway, known under the alias of Evergreen: Guilty as charged. To be hanged by the

neck until dead, and may God have mercy on your soul. The man known only as Sandy: Guilty as charged. To be hanged by the neck until dead, and may God have mercy on your soul."

His words had become almost a drone. "The man Upjohn, known as Up: Guilty as charged: To be hanged by the neck until dead, and may God have mercy on your soul. Jed Haraway, alias Hole-Card Pete:"

This was what the crowd had been waiting for, and in that audience of some three hundred people a pin could have been heard dropping. Gardner looked over at the prisoner, still puffing calmly on his pipe.

"Evidence offered in your case is slightly extenuating, said evidence possibly presented in an effort to win sympathy from the crowd. But the evidence offered has not and cannot be verified. We have only the word of the witness. Also, we have the defendant's own testimony to the fact that he warned, or attempted to warn the others to escape, which makes him equally guilty. Therefore this court sentences you to be hanged by the neck until dead, and may God have mercy on your soul. Sentences will be carried out within the hour."

It was over. Gardner left his high seat and stepped down. He bent over Pearson's table, presumably to look at notes. What he did was to whisper in Pearson's ear.

"Wait until they've finished with the job, then have your vigilantes hit the Pheasant with picks, shovels, and axes. One sight of those crooked dice and they'll tear it to shreds. We can replace the gaming equipment after she's gone and its open again. Equal pardners."

"Right," nodded the other. "And allow me to congratulate you, Luke. You should have been a judge."

Gardner's chiseled features relaxed into a thin smile. "I am . . . a judge of men."

The marshals and guards started leading the prisoners away; back to the jail until the ropes could be fixed. Pearson sent a man to a store for one hundred feet of new Manila. And the crowd, as though drawn by some strange magnet from behind, turned their backs to the Pound and pushed across the street and began to surround the framework of the big new building; eyeing the joists and heavy four-by-four rafters of newly sawed

lumber. Several more men went after long packing crates upon which the five doomed men would stand.

And nobody noticed that in the doorway of the Pheasant a woman and a man stood alone, watching the procession wend toward the jail. Tex and Lily Owens had heard every word. He turned to her.

"I'm sorry, Lily," he said.

"Thanks. But we both knew the outcome beforehand. It could have been nothing else."

"I'll give Jed credit," he told her. "He's got the cold nerve he had in the old days, though not the temper, and he most assuredly made things hot and uncomfortable for Pearson, Gardner, the Deacon and his crowd. They've all disappeared. I expect I've got to be careful where I walk or ride. What are you going to do now?"

"Pack up," she said. "Bessie's about finished. Just all I can take on a horse. I'm leaving her here to take the stage out and go back to her home."

"When?"

"When it's over. I've got to stay that long."

He remembered the rifle she had. had one of the freighters bring up to her room. He turned and went back inside. They walked over to one of the gaming tables. She picked up a pair of dice.

"Lily Owens making her last throw," she said bitterly, and rolled them hard. They bounced off the side wall: a five-deuce.

"So you don't think I'd make a last effort to get Jed free?"

"I asked you to. You've said no more."

"There will be two saddled horses waiting back of your place—the best of Pearson's string of blooded stuff," he told her. "You will be ready to ride hard. No clothes or baggage except what you have on your back. I'm making the try."

She stared up at him and let the dice fall to the table. Another five-deuce. "Tex, is there any hope at all?"

"I wouldn't want to raise false ones, but I believe so. The freighters who worked with Jed are circulating through the crowd. When I give the signal they're leading that bunch of miners in here and starting to rip this place apart. They're going to incite the mob to make a clean sweep of things while waiting

for the hangings to start. I've got five heavily armed cowpunchers who were friends of Wild Cat Cresty to help me raid the jail. If we can take them by surprise and get the drop on them, I'll get Jed free."

He had picked up the dice and idly thrown them for another five-ace seven, and was now examining them curiously, his face hardening.

"And Lance?" she got out, low-voiced.

"I'm rescuing an innocent man, Lily," he told her. "Don't forget that I'm a lawman. Texas sheriff from the Rio country. Justice was done today in the case of four of those five men. I'm sorry I've got to put it so bluntly, but there's nothing I can do for your stepbrother. He shot an unarmed miner last night in cold blood with my own gun."

She nodded tiredly. "I know. Lance's mother was a good woman, but his father was an outlaw and one of the meanest men alive. He was hung for murder. Like father, like son, I guess."

He had picked up several more pairs of the dice and was throwing them. "These yours?" he asked her sharply.

She looked them over, hefted them, shook her head in surprise. "Why, no, Tex, they're not. These are brand-new. I've been short of a new supply. Tex, what is this?"

"A frame-up. This looks like Gardner's work. Quick, get me some kind of a sack. One of your canvas money sacks. Hurry!"

He began putting the dice into the sack and went to the card cabinet on the wall. A gasp of surprise came from her at sight of the sign Gardner had put up.

"Why, Tex," she cried out. "I never put that sign there. I never allowed a pair of crooked dice or factory-marked deck in this house."

"No matter," he said curtly. "Get upstairs and be ready to ride. Better send Bessie to the house of some woman you know until she can leave when things quiet down. Watch the jail. When we come running you hit the saddle and be waiting, holding Jed's horse. The timing has got to be perfect."

"I can't run," she told him. "made a promise to Pap about Lance—never mind what it is—and I'm going to keep it. I won't go with you."

He went out the back way with the sack filled with dice and cards and rode down the alley until he came to the back door of the Pound's gaming room. It was completely deserted, as he had known it would be. Everybody was across the street. A group of men were measuring and cutting ropes. Five six-foot-long crates were being brought from the store. Tex spent fifteen minutes substituting Gardner's own crooked dice for the ones on the table racks. He pried off the lock of the card cabinet and put Gardner's sign, Marked. *For Black Jack and Faro dealers only,* in plain sight, closed the door again. He went out and mounted, slipping his single-shot rifle from its boot to make sure of the load in the chamber, and put it back with a grim face.

Chapter Twenty-four

TEX RODE BACK toward the rear of the Pheasant, nodding to the freighter who stood at the foot of the stairs. The man was holding the reins of two saddled horses.

"Everything all set?" the freighter asked a little nervously.

"Just about ready to roll. Miss Owens seems determined to stay here for a bit longer. So tie one horse for her—a slip knot so she can jerk it free in a hurry if she has to. I'm going out front. The minute we get here—that is, *if* we do—you duck into the Pheasant by a rear door, join the crowd, and help break up the place. Then head for the Silver Pound. All the dice on those tables are loaded. Six-ace and five-deuce flats. Look at the new decks of cards in the cabinet on the east wall, and yell at the top of your lungs what you've found."

"I shore will," agreed the other. "Pearson, eh? I never liked the way he charged us fer keepin' our wagons and horses in his yard. The minute we git through bustin' up the Pheasant, I'll

pass the word on to the boys and we'll head to the Pound. So long, and good luck, Burnett."

"We'll need it," Tex assured him.

Bessie came down the back stairs, a big bundle over one shoulder. She was frightened. Lily was sending her to the house of a friendly woman she knew, and only Lily Owens and Bessie knew that inside that bundle of clothing also were the contents of the big safe upstairs.

Tex rode out into the street, surveying what lay before him. He was wary now, cold all the way through. His cobalt eyes took in every doorway, every window where a lurking assassin might be hiding. He knew the Deacon and his crowd. He knew Pearson too.

He saw something: Frenchy LeBleau and Big Thumb Barton being shoved protestingly along the street by four angry miners. Tex looked over toward the jail. The grim guards were still there, waiting. The shadows into the gulch were lengthening now, each added inch bringing nearer the doom of the waiting men. The ropes were up, five bright nooses dangling from the main rafter of the building. Tex reined up. He reached into a hip pocket and brought out his handkerchief, lifted his hat and mopped his brow.

It had come.

This was the moment he had been waiting for, the moment he had been dreading, the moment when he had to set in motion the machinery that would either set an innocent man free or fail and let him go to his death.

Two of the lounging cowpunchers, sitting in the shade of their horses on a nearby slope, got up lazily and swung into leather. Another jogged from around the corner of the Pheasant. He was singing as though he hadn't a care in the world. Jake Lindsay appeared out of nowhere, reeling in the saddle, and whooping.

"I'm a curly wolf!" he bellowed down the entire length of the street. "Just listen to me howl!"

He threw back his head and howled. Tex reined the black over and jogged at a leisurely trot toward the jail. Somebody among the crowd around the building laughed nervously. One of the freighters suddenly burst through the swinging doors of

the Pheasant and began to shout and wave his arms. He was yelling for everybody to come look at the dice and cards he'd found. All marked! More freighters scattered among the crowd took up the shout, and cries of "Let's do it up right while we're waiting," broke from them, just as axes and shovels magically appeared in their hands. They went toward the Pheasant at a run and almost immediately the crash of splintering blows rang out.

This was more than the crowd waiting for the execution could stand. They milled toward the Pheasant and the riot was on.

The three marshals appeared in the doorway of the jail and then went lumbering down the slope in an effort to stop the ruckus. They trotted past Tex and he rode on, pulling up near the guards.

"What's up?" one demanded.

"They're wrecking the Pheasant," Tex answered.

"I shore hate that," one of the guards began. "Lily Owens is a woman who's maybe not done exactly right in some ways, but she's helped many a down and out—"

Jake Lindsay was spurring his horse, which was bucking in the direction of the jail. He pulled up—and the other riders were there. Tex Burnett's two guns were out in a flash as he lifted a leg over the saddle horn and dropped to the ground.

"Drop 'em, boys," he said coolly. "You're covered."

They were. Five men who had been driven out of town were surrounding the jail, guns in their hands. Tex ran toward the front door.

"What the heck!" protested one guard, letting his shotgun hit the dirt. "I never figgered you fer a man like this, Burnett—lettin' all these murderers go."

"Your mistake, boys. Just one man. We want him. Jed Haraway. He's innocent. The others stay."

He plunged inside, slid a colt into a sheath and grabbed up the keys to the padlock of Jed's cell.

"Out quick, Jed," he ordered, inserting the key. He swung the door wide and Bud Bailey let out a whoop of triumph.

"I knowed it, I knowed it! We're free, boys. Hurry it up, mister. Git this lock offen my door. We'll burn outa here—"

"You'll stay and swing, Bailey," Tex cut in. "You've got it coming."

Jed ran over and looking through the bars at his stepson. "I'm sorry, son, but Tex is dealing and we'll have to play them his way."

"But you told me Lil said I wouldn't hang," Lance cried out hoarsely.

"Lily is a woman who keeps her word, son. You won't. That I promise you."

"Come on," Tex Burnett yelled, and ran out again.

He hit leather as the men under Lindsay ordered the guards inside, without their guns. Jed ran out and Tex extended a hand, hauling him up back of the cantle. They went down across the slope, straight past the crowd, toward the back of the Pheasant. Somebody saw them and let out a bellow of "Jail break!" but the major part of the mob was inside the Pheasant watching the wreckage which grew at every blow, and looking up to where a woman stood alone by a banister, looking down calm-eyed at it all.

Haraway mounted his horse. A shotgun boomed and pellets sprinkled the side of the building beside them. Jed's stung horse unseated him in its plunge, but he recovered and hit leather. By now people were aware of what was taking place. They saw two running horses disappear into the timber north of the gulch and the name of Tex Burnett suddenly was cursed by a hundred lips.

It had all been done so quickly that there was no time for pursuit. Not a horse was saddled in town. Word went down the street that Haraway was free, and there were some among those in Mule Gulch that terrible day who breathed sighs of relief.

Pearson soon put in an appearance. He got the crowd under control before it got to his place. The freighters' shouts about crooked dice in the Pound only brought guffaws from the miners, but others began heading that way. Pearson had to act quickly. He saw Gardner.

"You were the judge in the case. Quick! Get those men out here and hang them. This mob has gone mad. If you don't they'll do to us what they did to the Pheasant."

A man went running and word began to spread through the crowd. They began moving toward the skeleton of the new

building where the ropes with their ominous hangman's nooses swayed and twisted.

And thus Jed Haraway was enabled to return to his cabin unseen.

He dismounted and went inside as Tex rode a circle and came in among the trees a bit south and to the east of the Pound. Presently Jed Haraway came out again, carrying a heavy caliber, single-shot .45-70 rifle. He looked toward where four men, hands shackled behind their backs, were being marched down the slope from the jail. He swung up to his horse's back, looked up at the corner windows of the wrecked Pheasant and sorrowfully shook his head. Then he rode away.

And three hundred yards to the south Tex Burnett had dismounted. He gauged the distance, wet a finger, held it up to see which way the wind was blowing, and carefully adjusted the rear sights on the big rifle.

Chapter Twenty-five

TWELVE BIG husky miners had volunteered to do the job that had to be done. It was obvious they took no pleasure in the grim business.

The four men were pushed up in front of the tall packing crates. On the bottom of each one had been nailed a short length of rope. Strong hands boosted up four men, and while husky miners steadied the crates another man mounted and began adjusting the nooses around the necks of the prisoners, snugging the hangman's knots up under their left ears.

Upjohn, half drunk now, cursed the pain in his shoulder.

"Just git it over with quick," he got out hoarsely.

"We shore will. Anything you got to say?"

"No . . . just get it over with as quick as you can, that's all."

Next to him Sandy stood mutely, his face snow white. Bud Bailey essayed bravado, grinning and cracking jokes with the miners. "Maybe you ought to let me try a practice drop first," he chuckled. "We shore ought to rehearse this so's to give the crowd a good show."

There was no reply from the miners at work. They finished and jumped down, leaving four men standing six feet off the ground, the ropes around their necks allowing for about a four-foot drop. One noose, the one meant for Jed Haraway, still dangled emptily as though disappointed at not receiving a victim.

The four miners stepped back of the crates and picked up the ropes fastened to the bottom. Harlan Pearson looked up at Upjohn.

"Anything to say?" he asked.

The prisoner, hands shackled behind his back, shook his head. Pearson nodded and the miner jerked hard on the rope he held in his hands. The crate toppled and Upjohn's body went down, stopping with a snap, his feet almost touching the ground. The amateur executioners had forgotten about new rope stretching. The outlaw hung by his neck, head twisted to one side, tongue protruding. He drew his legs up and down, writhing and twisting and some kind of a "gaaahhhhh!" sound emerged. Sandy stood trembling, the next man to go. He stared down at the still writhing figure and a choked sob broke from him.

"What's the matter, Sandy?" jeered Bud Bailey. "You look sick. Hurry up and kick him off, boys, so's he kin hold open the gates for me when I come slidin' down the chute. One down, three to go. Somebody give the man the cigar he won. Next?"

Pearson looked up at Sandy. "Anything to say?"

"Yes," cried Sandy, sheer terror in his face. "I've lived an awful life. I done wrong an' I know it. I had a good home but I went wrong."

"Well," came grimly from somebody in the crowd, "yuh shore picked a heck of a time to find it out. Kick him off."

"Won't somebody pray fer me?" Sandy begged in that choked voice. "I come from a religious home and my mother'd want to know I got prayed fer. Somebody . . . please!"

The crowd shuffled and remained silent, half of them embarrassed at the macabre scene and the terror of the big six-

footer. Finally a man stepped forward. It was the little fellow who had acted as defense counsel. He took off his hat, revealing a bald head, and dropped to his knees, head bowed. Not a man in that street that afternoon failed to remove his hat as the little fellow begged the Lord to have mercy on Sandy and the others when they came up before Him. The little man finished, rose, and Pearson nodded. The crate went tumbling . . . and a horrified gasp came from the crowd.

The rope was too long!

Sandy weighed more than two hundred pounds and stood six feet and more. His huge body snapped down hard against the knot, the rope stretched, and Sandy's feet were just touching the ground! He writhed, and strangling sounds came from him. Dirt flew out from beneath his booted feet as they scraped the ground, toes touching. An inch or two more and Sandy would have had solid enough footing to release the pressure. Now he hung, with those horrible choking sounds emanating from his throat. His eyes bulged and rolled until the whites showed. A woman screamed and turned her back.

"Do somethin'!" roared a voice from the crowd. "He's guilty but he ain't supposed to die that way."

A man did something. The one who had jerked the crate away leaped forward and dropped to his knees. He bent Sandy's knees, got a good grip around them, and began to pull down hard. There was a snapping sound that told of a cracked vertebra and Sandy's figure hung lax, his feet now touching the ground.

Bud Bailey didn't wait. He kicked the crate from beneath himself and went down hard. Of the three he was the quickest to die.

Only Lance Haraway stood alone, swallowing convulsively, his face now as white with fear as Sandy's had been. Pearson stepped before him, feet braced, a sardonic smile that was almost a sneer on his handsome face.

"Anything to say—" he began, and never finished.

From somewhere in the distance came the spiteful roar of a rifle, the flat report rolling up and down the length of the gulch and rocking away into the distance among the evergreen trees. Lance's body slammed backward and spun completely around.

He fell face forward off the crate and then hung there with his feet resting on top of the overturned box. Red gushed from his mouth and a big crimson stain began spreading on his shirt just below the rope. Three inches higher and the bullet would have cut it in two.

The shock of it froze the crowd into immobility until necks began twisting. Then the rifle roared again. Pearson threw up both hands and fell forward into the dirt. And the crowd broke. A swelling, stentorian roar went through it. In back of the Pheasant Lily Owens, dressed in boots, men's corduroy pants, and wool shirt, ran down the stairs. She leaped astride the waiting horse, spurring away.

And five of the shotgun guards acted simultaneously. Jake Lindsay and his men, following the rescue of Jed, had boldly returned and were less than one hundred yards away, standing in the doorway of a big tent bar, drinking whiskey, with their hands on their guns. They saw the guards running toward them and drew their guns. But before the astonished men realized what was happening the five miners had grabbed the horses and, oblivious to the owners' yells of indignation, were setting off hard in pursuit of Lily and her father.

Two of the saddles carried saddle guns in boots. The men riding those two horses dropped their guns and pulled out the repeating rifles. They began firing at the fleeing figures, riding hard to cut them off.

Lily came pounding up beside her father. They were spurring. Jed's hat was gone, his long hair flying.

"Swing south!" he yelled at her. "They're cutting us off."

"Where's Tex?"

"I don't know—there he is! South of town among the trees. Come on!"

Tex was waiting as they came spurring by, and the black leaped into stride. Bullets drummed all around them until the magazines were empty and the men back of them with no more ammunition at hand.

They disappeared among the trees and drummed south, leaving behind a town that for a second time that day had gone mad.

Somebody was roaring and shouting about crooked dice in the Pound, Harlan Pearson's own place. The crowd jammed in

to get drinks and Gardner fought his way through to where a freighter was shouting and gesticulating.

"Look at 'em, boys!" the freighter bellowed. "All crooked. Try 'em. Everything from snake-eyes to naturals with any pair on the table. No wonder he was hollerin' about Lily Owens running a crooked joint. It was to throw suspicion off hisself!"

Gardner's slim hand flashed down beneath his gray coat. It came up again and the pistol barrel thudded against the freighter's head. The next thing the gambler knew he was in the grip of half a dozen rough hands.

"Hold on a minute, men," he commanded, trying to make himself heard in the uproar. "There's been a mistake. This is a frame-up. I'll prove to you those dice are straight."

"You've got to, mister, an' if they are we won't bother you," snapped back the slugged freighter. He wiped at a smear of blood running down the side of his face.

Gardner picked up the dice in question . . . and his face went pale. He knew them. *They were the same dice he had planted in Lily Owens' place!*

"Well?" shot out the freighter, wiping at the blood again. "Say somethin'."

"I—ah—there's been a frame-up here, men. This is the work of Tex Burnett. He's been trying to—"

"Yeah?" bellowed a voice from across the room, by the card cabinet. "I suppose he put this sign up by these marked cards too? Get him, men."

"String him up too! Use thet empty noose," somebody yelled.

It was unfortunate for the Deacon and Charley that they happened to put in an appearance at that moment. They had witnessed what had happened to Lance Haraway and Pearson, and then had gone straight to the Pound to propose to Gardner a partnership deal in which they would operate both houses. Unfortunately a certain miner recognized them both. He had several rings with mirrors in his pocket.

"Here's the two who killed thet cowpuncher this morning," he shouted. "Get 'em, boys. Let's do this thing up right."

Gardner lost his cool aloofness and began to beg. The Deacon and Charley, both very much frightened, stood silently. Finally

one of the miners who had helped with the execution took charge.

"Gardner ain't done nothin' much, seein' as how he's only been in town a day or so. Got in yesterday, didn't you?"

"Yes," nodded the gambler.

"But you helped Pearson with the trial and I reckon thet counts fer a little. You're still a gambler, an' from what this Burnett said, plus what Jed Haraway said on the witness stand, you ain't much better than the ones you sentenced. So we can give you yore choice: thet empty noose out there or leavin' town. Which'll it be, mister?"

"I'll leave as soon as I can pack my bags," was the reply.

"Mister, this is a miners' drumhead court in session right now. You'll leave right now or swing right now."

"Very well."

"There's some of Pearson's string of horses still in the wagon yard stable," a freighter replied. "Can you saddle a horse?"

"I should be able to—I've ridden them all my life," was the curt reply. Gardner had recovered his poise.

"All right, then. Turn him loose, boys. You got thirty minutes to git him saddled and git."

"Make it fifteen," yelled back somebody. "And I'll just go along to see he does it in less'n thet."

Gardner found himself shoved out through the doorway in back, and then the new "judge" turned to the Deacon and Charley.

"Next case," he announced.

Chapter Twenty-six

THREE MILES south of town, a trio sat on rocks around a small fire. They hadn't been talking much. The terrible events of the day were too fresh in their minds. Tex could still see Lance

Haraway's body as it spun around under the shocking impact of the big bullet. Lily Owens had kept her word. Her stepbrother hadn't hung. He had died by rifle fire, his feet still on the overturned crate.

He stirred the coals of the fire and poured himself more coffee from the pot into the tin can. He'd found the can of beans among the stuff in his slicker and blanket roll and the three of them had shared a supper of beans and coffee.

He looked at the girl. She was a changed woman now. Haraway, alias Hole-Card Pete, was gazing thoughtfully into the fire. He raised his head and looked at the sky.

"Moon's about up," he finally commented.

"Yes," Tex Burnett replied. "And if we're going north to the stage station on the main line we'd ought to be on our way."

"I reckon. About ready to go, Lil?" Jed inquired of his daughter.

"Any time you say, Pap. I can't wait to get away from this place. Lance was mean and cruel in many ways and killed four innocent men, but the thought of his body hanging there all night and possibly tomorrow as an example breaks my heart. I wish there was something I could do."

"There's nothing, Hon. He's past all help now. He'd have ended up in some lonesome Boothill sooner or later anyhow. It's best to forget."

"I suppose so," she sighed. "Strange, but I never thought I'd be so anxious to get away from a place as I am this one. I won't be able to draw a deep breath until we're out of here and past the town. Let's go."

She rose to her feet and Tex finished the last of the coffee. He took tins and went to the nearby creek, filled them with water, came back and doused the fire, and rerolled them into his slicker. By the time he finished the other two had mounted and were waiting.

They went north at a walk, riding three abreast when the timber permitted. The lights of Biggers' mine and smelter mill came into view, and they heard the chug-chug sounds that told of machinery back in operation. The night shift was at work, the gulch returning to normal. They cut a wide circle to the east of the town, working in back of the wagon yard. The moonlight

showed the square of ashes where Bud Bailey's cabin had burned to the ground. Nearby, with two dogs sniffing at them, lay the charred, partially burned carcasses of the two saddled horses.

None of the three looked toward the Pound and what still dangled there from four ropes fastened to the rafters of the new building across the street. They rode on for a mile, cut west again, and came into the stage road leading toward the lumber mill and, beyond it a few miles, the stage station.

They were a mile farther on, riding in the bright light of the full moon, when Tex suddenly pulled up. Haraway and his daughter followed suit. Tex gigged the black forward and rode up closer to the tree.

It was about eighteen inches in diameter through the trunk, and twenty feet above the ground large limbs stuck straight out horizontally in all directions, like the spokes of a monster wheel without felloe or rim.

They were all there, their bodies swaying and turning gently; the Deacon, Charley, Frenchy, and all the others. As the Deacon's body turned the moon struck glinting light from a bright object on his hand.

He and the others had their rings back.

None of the three spoke. As though by common consent they started forward again. Finally Jed Haraway broke the silence.

"We ought to make it in another three hours," he commented.

"I expect so," Tex replied. "Decided where you're going?"

"Anywhere," Lily Owens replied. "Anywhere . . . away from here. Some place where it's quiet and people are living peaceful, settled lives. I'll send for Bessie when Pap and I decide where we'll stay. The money I left with her will be sufficient to start up in business again. No, not this kind," she added as both men looked at her. "I never want to see another card or pair of dice or a roulette table again as long as I live. I've been thinking of perhaps a women's clothing emporium, perhaps a general store or ranch. I'll decide when we get up North.

So they were going north? Tex found himself a little glad for her sake, a little sorry for his own.

"And you?" Jed Haraway asked him.

The sheriff from Texas looked over at him and smiled. "Back

to the peace and quiet of my job down in Texas. I'm getting too old to be poking my neck into fusses like this one, Pete."

"We both are. But at least you've got friends to go back to. Lily and I have none."

"I've got more than friends," Tex Burnett replied. "Relatives too. A granddaughter."

"A *what?*" grunted the freighter. "I'll be jiggered, Tex; I didn't know that. I heard rumors years ago that you'd lost a wife when you were pretty young, but I never knew you had children."

"Two of them. Twins," Burnett replied. "A boy and a girl. The mother and the boy died in a wagon train during an Indian attack. The girl survived. She's married to a rancher named Jeff Renfro and has a girl of her own. I can't wait to get back there and see her. As a matter of fact," he added, suddenly pulling up, "there's really no use in my going on any further. I'll just turn around and head back. As long as we've got to say good-bye it might as well be now. So you're going north?"

"That's what Lil said. Whichever way she wants."

"In that case I'll say good-bye and cut over a ways, make camp, and get an early start home in the morning."

Lily Owens reined up her horse beside him. In the brightness of the moon's light she was at that moment the loveliest thing he had ever seen.

"I'm sorry we've got to say good-bye, Tex," she told him simply. "It's been a little over twenty-four hours, hasn't it?"

"About that. If you're ever down that way, drop in through Red Arrow County and visit us. It's a good country."

"We might do it sometime," she said seriously, and stuck out a slim hand.

He took it, removing his hat with the other. He shook hands with her father. Then they were gone and he was cutting west to get over the ridge and turn south again, regretting that he couldn't have known her a little longer. His reverie was broken by the sharp sounds of galloping hoofs. He wheeled in the saddle, the Colt half out of the sheath, before he recognized them. They pulled up and fell in alongside him.

"I said I'd go where Lily wants to go, Tex," Jed Haraway said quietly. "She wants to go to Texas."

Tex looked over at her and saw her warm smile, the slight mis-

tiness in her eyes as she rode in knee to knee and her gaze met his. He knew she wanted to say something, and the surge of happiness he suddenly felt made him say it for her.

"I'm glad you changed your mind . . . Lily," Tex Burnett told her.

They rode on, and once, through an opening in the trees, they again saw the dangling bodies hanging in a grim circle around the big evergreen. Jed Haraway looked at them and then over at Tex.

"The last of the old-time tinhorns, Tex," he remarked.

"Them?"

"No," the former Hole-Card Pete replied softly. "Us." He saw his daughter's hand go out to that of the other man, and he fell behind a way to light his pipe and puff complacently.

He made a mental note that when they found a place to camp that night he ought to clean the dirty bore of his big rifle.

THE END

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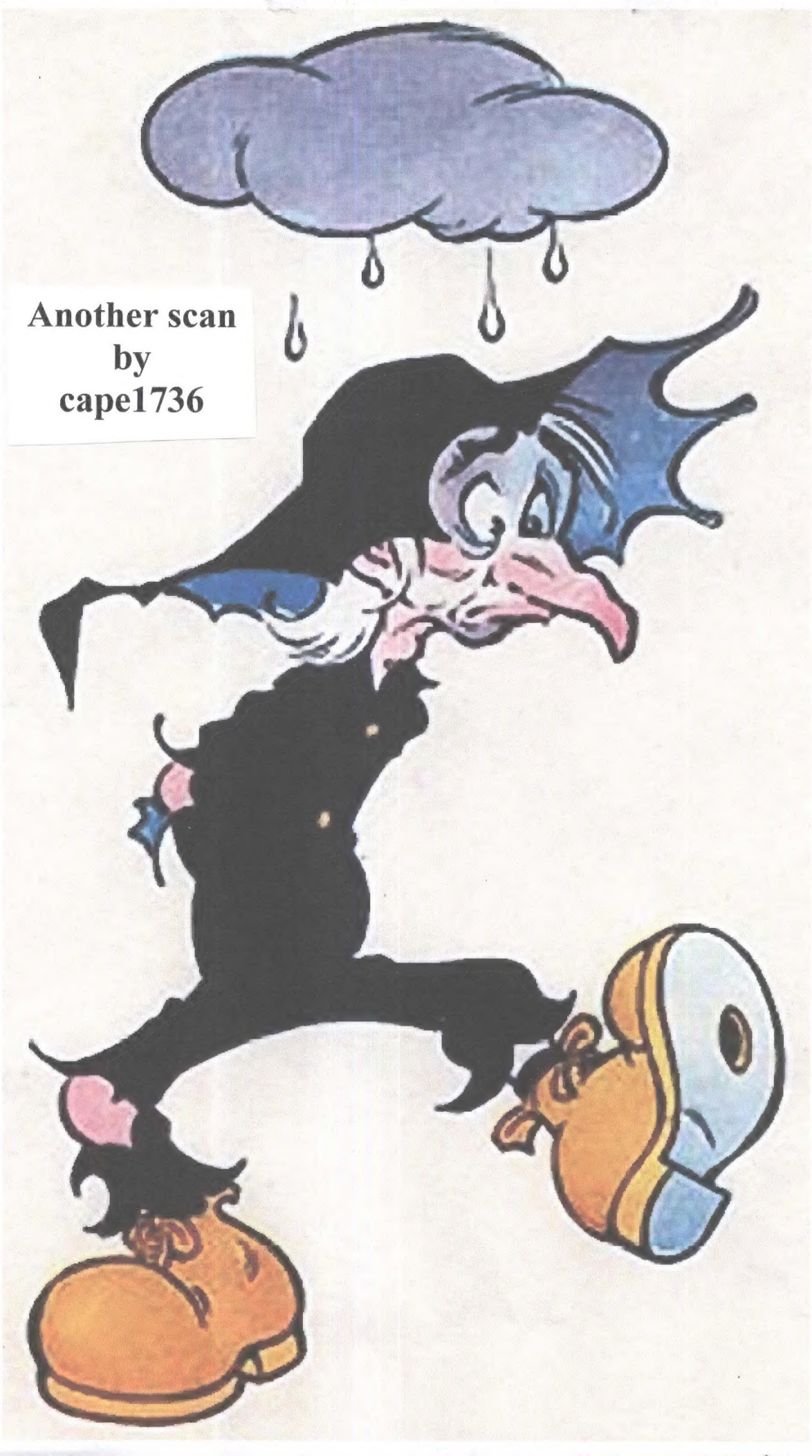
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